

TEXAS TRANSPORTATION COMMISSION

LIVE OAK County

MINUTE ORDER

Page 1 of 1

CORPUS CHRISTI District

In Live Oak County, on FM 1358, the state of Texas acquired certain land for highway purposes by Right of Way Deeds recorded in Volume 145, at Page 53, Volume 145, at Page 85, and Volume 145, at Page 473, of the Deed Records of Live Oak County, Texas and by use of the property.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend the exchange of an interest in real property acquired but not needed for a highway purpose as whole or partial consideration for another interest in real property needed for a state highway purpose.


The State of Texas, acting by and through the Texas Department of Transportation, and Curtis G. Clopton and Laurie A. Clopton (the Cloptons) have entered into an exchange agreement, as amended.

In accordance with the executed exchange agreement, as amended, certain land needed for a state highway purpose, described in Exhibit A (the parcel), has been conveyed to the state by the Cloptons, and certain tracts not needed for a state highway purpose, described in Exhibits B and C (the tracts), will be conveyed and quitclaimed, respectively, to the Cloptons by the state.


It is the opinion of the commission that it is proper and correct that the state conveys and quitclaims the tracts to the Cloptons in exchange for the parcel.

IT IS THEREFORE ORDERED by the commission that the tracts are not needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute proper instruments conveying all of the state's right, title, and interest in the tracts to the Cloptons in exchange and as consideration for the parcel; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the tract described in Exhibit B.

Submitted and reviewed by:

DocuSigned by:

BDEF0413AC9E4EC...
Director, Right of Way Division

Recommended by:

DocuSigned by:

A36629BA547D4BD...
Executive Director

115759 May 28 2020

Minute	Date
Number	Passed

Revised June 23, 2016
September, 2015
Parcel 2

EXHIBIT "A"
Page 1 of 9

County: Live Oak
Highway: FM 1358
RCSJ: 1206-01-022
Limits: From IH 37 to 0.947 Mile East of IH 37

Property Description for Parcel 2

Being 2.0837 acres or 90,764 square feet of land situated in the Santiago McGloin Survey, Abstract No. 26 and the Luis Leal Survey, Abstract No. 23, Live Oak County, Texas; said 2.0837 acre tract being out of a calculated 4.6416 acre tract of land out of a called 87.09 acre tract described in a deed dated January 12, 1981 from Roy A. Jones, et ux, to Curtis G. Clopton and wife Laurie A. Clopton, recorded in Volume 329, Page 87, Live Oak County Deed Records (L.O.C.D.R.), all of Block 8 including the portion between the east line of Block 8 and Sulphur Creek, as shown on the plat of Oakville Townsite, recorded in Volume "K", Pages 638 and 639, L.O.C.D.R., described in a deed dated December 19, 1995 from Roy A. Jones to Curtis G. Clopton and Laurie A. Clopton, recorded in Volume 514, Page 203, L.O.C.D.R., a portion of Plaza Street and Harrod Street (formerly Davison Street now closed – 60 feet wide) as fenced and occupied; metes and bounds description of said 2.0837 acre tract being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with TxDot aluminum cap set (from which a found one inch iron pipe bears North 08° 39' 27" West, 1.37 feet) in the existing north right of way line of FM 1358 (80 feet wide right of way per Volume 145, Page 85, L.O.C.D.R.) and the east line of said 87.09 acre tract for the southwest corner of the residue of a called 30.0 acre tract described in a deed dated October 14, 1959 from Henry E. Houdmann to Daniel T. Garcia and Ysidro L. Garcia, recorded in Volume 182, Page 501, L.O.C.D.R.; **Thence** as follows:

South 73° 16' 12" West, across the existing right of way of said FM 1358 and along the proposed northerly right of way of said FM 1358, a distance of 388.49 feet to a 5/8 inch iron rod with TxDot aluminum cap set for the point of curvature of a curve to the left; said point being 40.00 feet left from the proposed FM 1358 baseline station 22+60.34;**

Continuing along the proposed northerly right of way line of said FM 1358 and around said curve to the left with a radius of 3,430.00 feet, a central angle of 01° 23' 54", an arc length of 83.71 feet, and a chord which bears South 72° 34' 15" West, 83.70 feet to a 5/8 inch iron rod with TxDot aluminum cap set at the intersection of the existing south right of way line of said FM 1358 (right of way width varies per Volume 145, Page 85, L.O.C.D.R.) for the northeasterly corner and the **POINT OF BEGINNING** (N= 13,349,576.66, E= 2,258,646.81) of the herein described tract;

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- 1.) **THENCE** South 85° 06' 48" East, along the existing south right of way of said FM 1358, a distance of 176.07 feet to a point (from which a found 5/8 inch iron rod bears South 73° 06' West, 0.87 feet) in the northerly line of a called 340.72 acre tract described in a deed dated January 10, 2008 from Aggie Ventures, L.L.C., to Kibbe Ranches, LTD., recorded under Live Oak County Clerk's File No. 2008179164 and Volume 104, Page, 811, Official Public Records Live Oak County for the east corner of said 4.6416 acre tract and of the herein described tract;
- 2.) **THENCE** South 73° 05' 51" West, along the south line of said 4.6416 acre tract and the north line of said 340.72 acre tract, a distance of 806.46 feet to a 5/8 inch iron rod found for an angle point of the herein described tract;
- 3.) **THENCE** South 43° 14' 22" West, along the southeast line of said 4.6416 acre tract and the northwest line of said 340.72 acre tract, a distance of 208.49 feet to a 5/8 inch iron rod with cap stamped "DOVE 4143" found for the westerly corner of said 340.72 acre tract, the northerly corner of a 10.1950 acre (calculated) tract described in the following two deeds: 1.) a called 3.49 acre tract described in a deed dated January 19, 2000, from Ruby M. Harrod to Wood Harrod, Sr., recorded in Volume 566, Page 347, L.O.C.D.R., being Lots 1, 2, and 3, Block 5, the southwest 75 feet of Lots 4, 5, and 6, Block 5, Lots 1 and 2, Block 2, the southwest 75 feet of Lot 4, Block 2, and a portion of Eureka and Sulphur Streets of said Oakville Townsite, 2.) four tracts described in a deed dated May 26, 1978, from Dessie Wynoka Varichak, et vir, to Wood Edgar Harrod and wife Marie Elaine Harrod, recorded in Volume 295, Page 184, L.O.C.D.R.; "First tract" being northeast half of Lot 4 and all of Lots 5, and 6, Block 2, "Second Tract" being Lots 1, 2, and 3, Block 3, "Third tract" being the residue of Lots 4, 5, and 6, Block 5, and "Fourth Tract" being all of Block 6, of said Oakville Townsite, and a portion of Plaza Street and Harrod Street (formerly Davison Street; now closed – 60 feet wide) as fenced and occupied, and being an angle point of the herein described tract;
- 4.) **THENCE** South 35° 03' 43" West, along the southeast line of said 4.6416 acre tract and the northwest line of said 10.1950 acre tract, a distance of 92.98 feet to an angle point of the herein described tract;
- 5.) **THENCE** South 45° 43' 45" West, continuing along the southeast line of said 4.6416 acre tract and the northwest line of said 10.1950 acre tract, a distance of 40.25 feet to a point (from which a found 12 inch by 12 inch fence post bears North 22° 00' East, 1.4 feet) for the southwest corner of said 4.6416 acre tract and of the herein described tract;

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- 6.) **THENCE** North 59° 31' 27" West, along the southwest line of said 4.6416 acre tract and the northeast line of said 10.1950 acre tract, a distance of 23.43 feet to the intersection of an existing fence for an angle point;
- 7.) **THENCE** North 62° 53' 22" West, along the southwest line of said 4.6416 acre tract, the northeast line of said 10.1950 acre tract and said existing fence line, a distance of 45.64 feet to a point in the centerline of said Plaza Street for an angle point;
- 8.) **THENCE** South 50° 25' 55" West, along the centerline of said Plaza Street, the southwest line of said 4.6416 acre tract and the northeast line of said 10.1950 tract, a distance of 120.72 feet to an angle point in the centerline intersection of said Plaza Street and Harrod Street;
- 9.) **THENCE** North 39° 30' 07" West, along the centerline of said Harrod Street, the southwest line of said 4.6416 acre tract and the northeast line of said 10.1950 tract, a distance of 45.38 feet to a point in an existing fence line and the southeast right of way line of said FM 1358 for an angle point;
- 10.) **THENCE** North 29° 08' 48" East, along the existing southeast right of way line of said FM 1358 and said existing fence line, a distance of 92.90 feet to a fence corner for an angle point;
- 11.) **THENCE** South 62° 53' 22" East, continuing along the existing southeast right of way line of said FM 1358 and said existing fence line, a distance of 9.09 feet to an angle point;
- 12.) **THENCE** North 27° 11' 12" East, along the existing southeast right of way line of said FM 1358 and the northwest line of said 4.6416 acre tract, a distance of 34.18 feet to 5/8 inch iron rod with TxDot aluminum cap set in the proposed northwest right of way line of said FM 1358 for the northwesterly corner of the herein described tract; said point being in a curve to the right whose center bears South 35° 04' 04" East, 3,485.00 feet;
- 13.) **THENCE** along the proposed northwest right of way line of said FM 1358 and around said curve to the right with a radius of 3,485.00 feet, a central angle of 03° 47' 48", an arc length of 230.93 feet, and a chord which bears North 56° 49' 50" East, 230.88 feet to a 5/8 inch iron rod with TxDot aluminum cap set for the end of said curve; said point being 95.00 feet left from the proposed FM 1358 baseline station 14+00.00;**

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- 14.) **THENCE** North 64° 06' 19" East, continuing along the proposed northwest right of way line of said FM 1358, a distance of 374.54 feet to a 5/8 inch iron rod with TxDot aluminum cap set for the point of curvature of a curve to the right; said point being 80.00 feet left from the proposed FM 1358 baseline station 17+65.00;**
- 15.) **THENCE** continuing along the proposed northwest right of way line of said FM 1358 and around said curve to the right with a radius of 3,470.00 feet, a central angle of 03° 07' 36", an arc length of 189.37 feet, and a chord which bears North 66° 27' 41" East, 189.34 feet to a 5/8 inch iron rod with TxDot aluminum cap set for the end of said curve; said point being 80.00 feet left from proposed FM 1358 baseline station 19+50.00;**
- 16.) **THENCE** South 73° 22' 58" East, continuing along the proposed northwest right of way line of said FM 1358, a distance of 64.72 feet to a 5/8 inch iron rod with TxDot aluminum cap set for an angle point; said point being 40.00 feet left from the proposed FM 1358 baseline station 20+00.00; said point also being in a curve to the right whose center bears South 21° 07' 49" East, 3,430.00 feet;**
- 17.) **THENCE** continuing along the proposed northwest right of way line of said FM 1358 and around said curve to the right with a radius of 3,430.00 feet, a central angle of 03° 00' 07", an arc length of 179.71 feet, and a chord which bears North 70° 22' 14" East, 179.69 feet to the **POINT OF BEGINNING** and containing 2.0837 acres or 90,764 square feet of land.

Parcel 2 Acquisition Summary:

0.7850 acres (34,192 square feet) Santiago McGloin Survey, A-26
1.2987 acres (56,572 square feet) Luis Leal Survey, A-23
2.0837 acres (90,764 square feet) Total

Revised June 23, 2016
September, 2015
Parcel 2

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Notes:

1. All bearings and coordinates are referenced to the Texas Coordinate System of 1983, South Central Zone (4204), North American Datum of 1983 (TxDot VRS, Epoch 2010.00).
2. All distances and coordinates shown are grid values. Grid values equal surface values. TxDot Adjustment Scale Factor = 1.00000 for Live Oak County, Texas.
3. Unit of Measure = U.S. Survey feet
4. Survey date – July 28, 2015.
5. The streets and right of way lines noted are based on the recorded map of Oakville Townsite, recorded in Volume "K", Pages 638 and 639 of the Live Oak County Deed Records. The street right of way widths were determined by the location of found monumentation and as shown on the existing right of way map of FM 1358 (CSJ No. 1206-1-2, dated April 17, 1952). The recorded map of Oakville Townsite does not show right of way widths or street dedication to the public. The streets noted as closed appear to have been closed for a long period of time.
6. ** The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.
7. Access will be permitted to the remainder property abutting the highway facility.

Revised June 23, 2016

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Parcel 2" of even survey date herewith accompanies this legal description.

 7/18/2016

Leo M. Delatorre
Registered Professional Land Surveyor
Texas Registration No. 5113

Date:



Landtech Consultants, Inc.
2525 North Loop West, Suite 300
Houston, Texas 77008
(713) 861-7068
TBPLS Firm No. 10019100

LEGEND

- PROPOSED R.O.W.
- EXISTING R.O.W.
- PROPERTY LINE
- EASEMENT
- SURVEY LINE
- TYPE I CONCRETE MONUMENT FOUND
- TYPE II CONCRETE MONUMENT SET
- 5/8" IRON ROD SET W/ CAP
- PROPERTY CORNER FOUND AS NOTED
- PARCEL NO.
- POWER LINE
- GAS LINE
- FENCE
- ACCESS DENIAL LINE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- L.O.C.D.R. LIVE OAK COUNTY DEED RECORDS
- L.O.C.M.R. LIVE OAK COUNTY MAP RECORDS
- O.P.R.L.O.C. OFFICIAL PUBLIC RECORDS
- LIVE OAK COUNTY
- LIVE OAK COUNTY CLERK'S FILE

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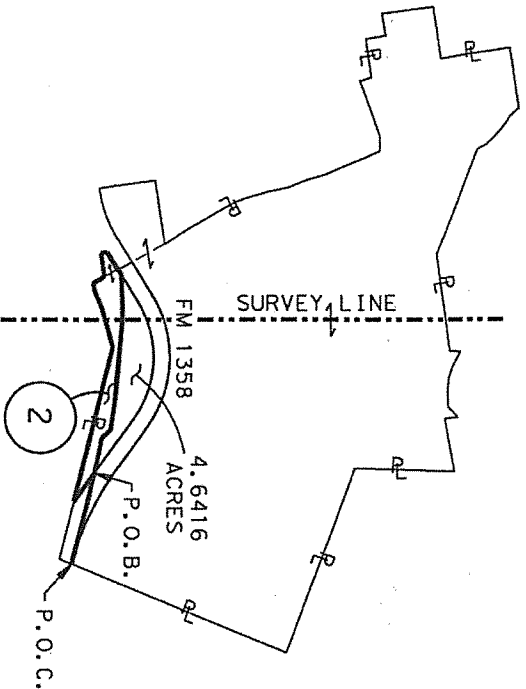
A - 26

LUIS LEAL SURVEY A - 23

A - 23

PARENT TRACT INSET FOR PARCEL NO. 2

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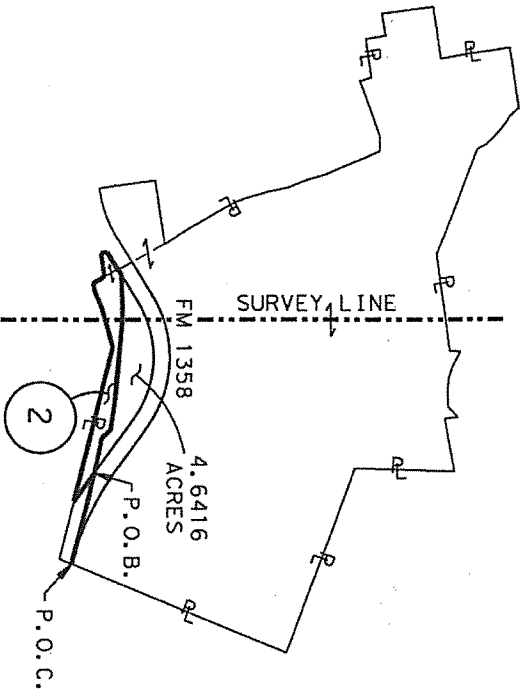
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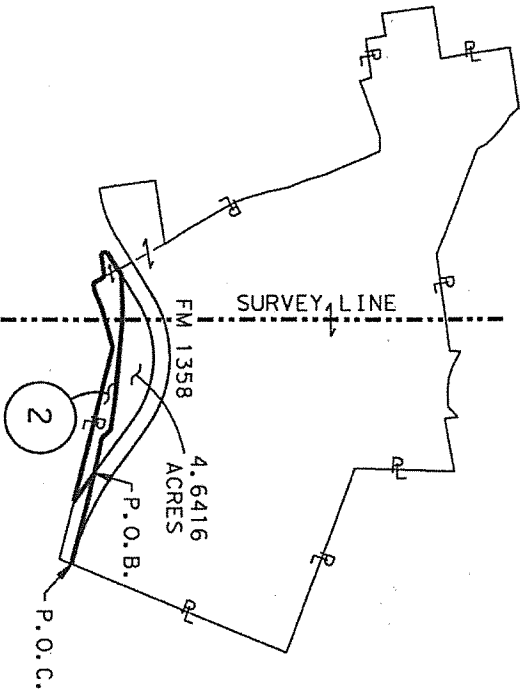
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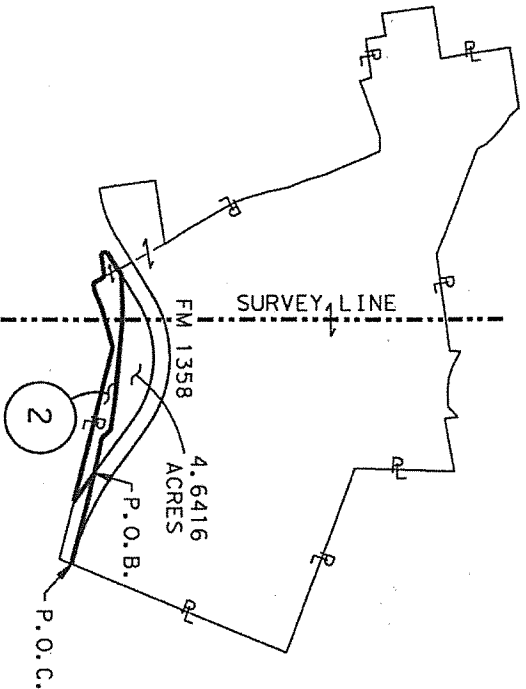
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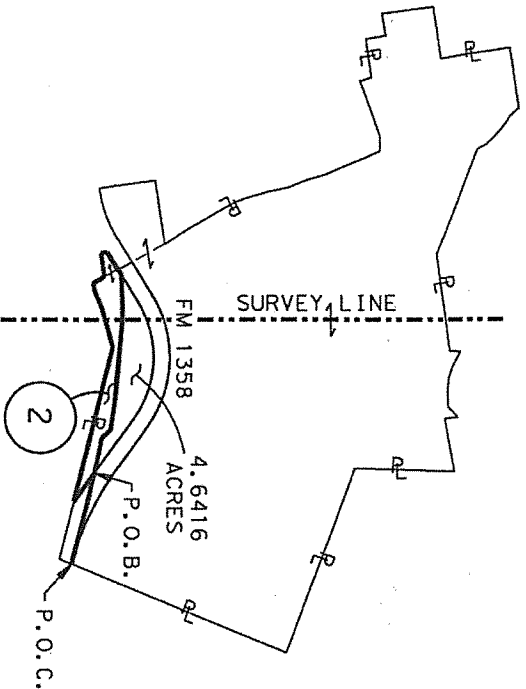
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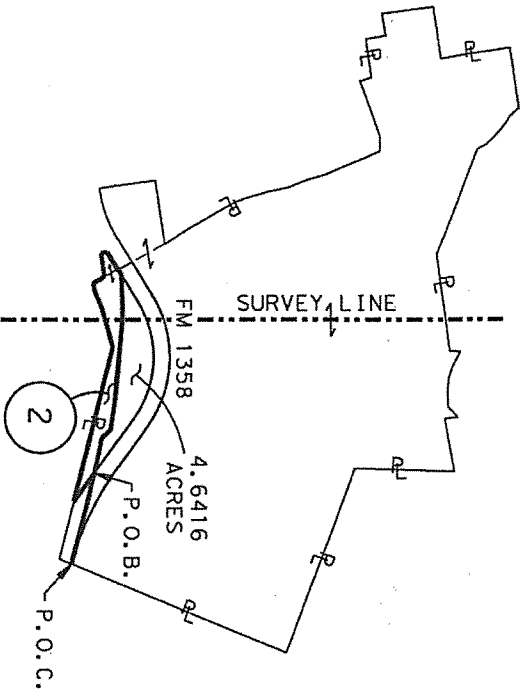
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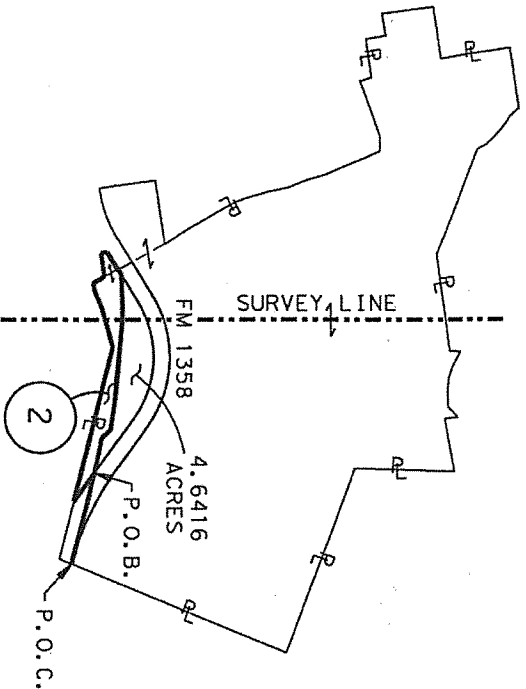
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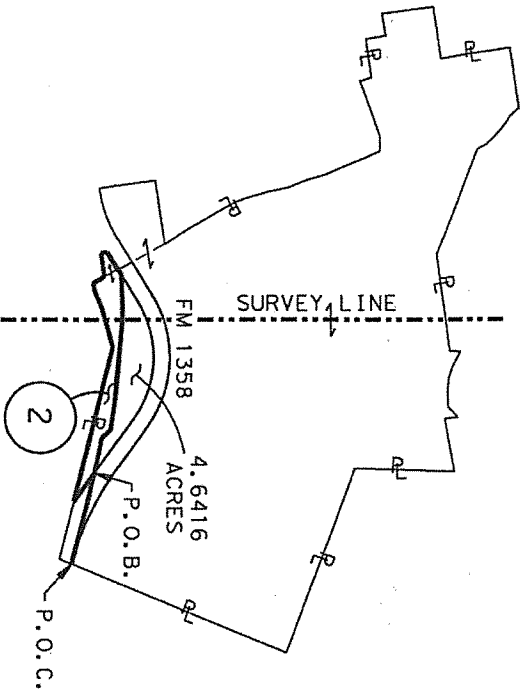
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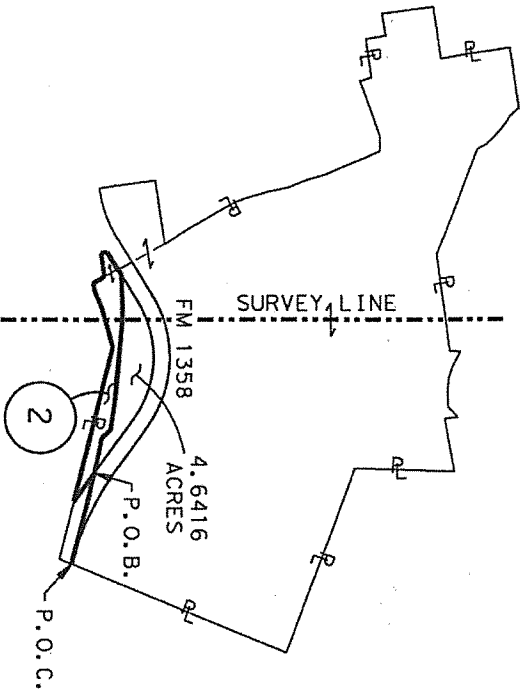
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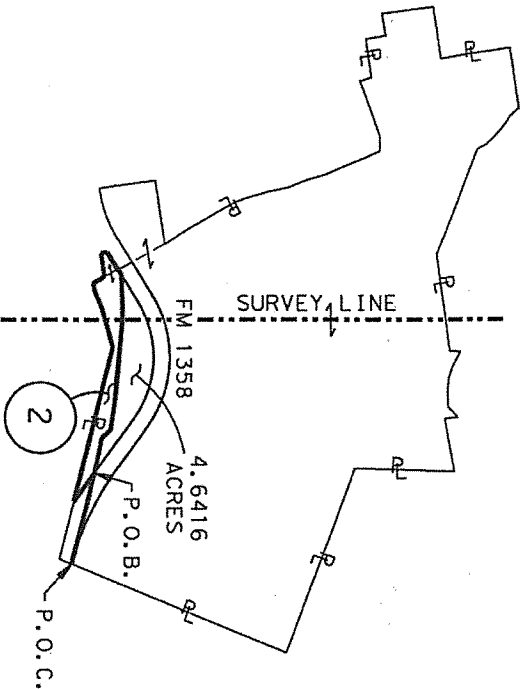
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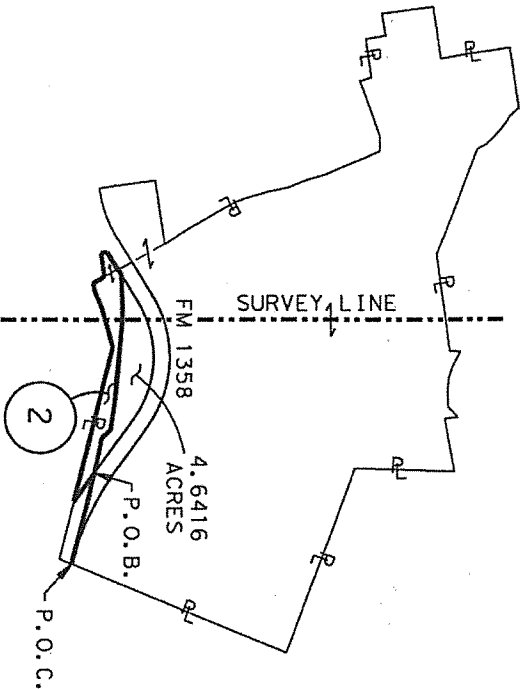
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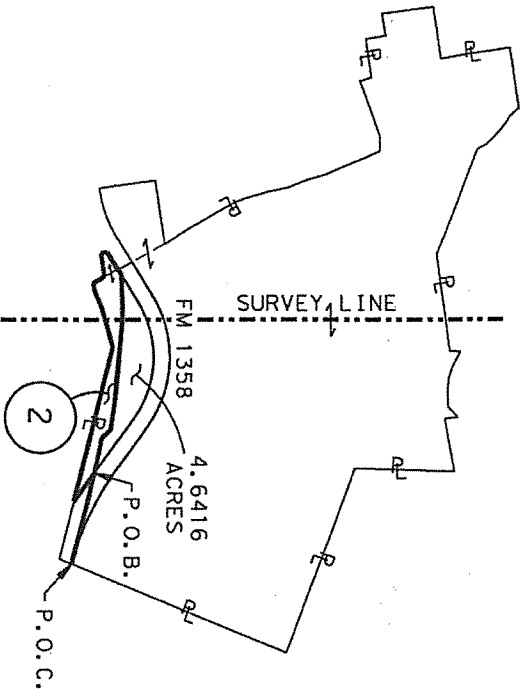
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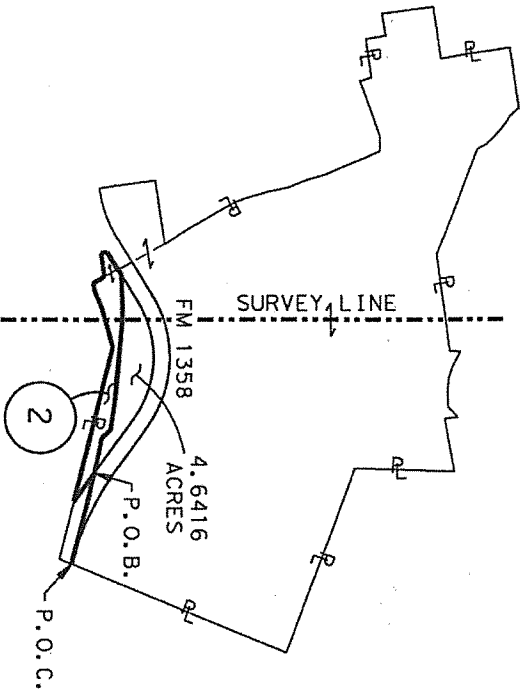
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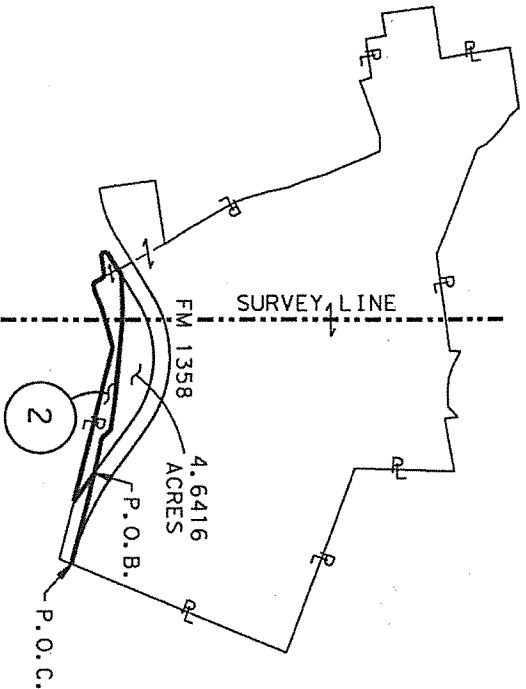
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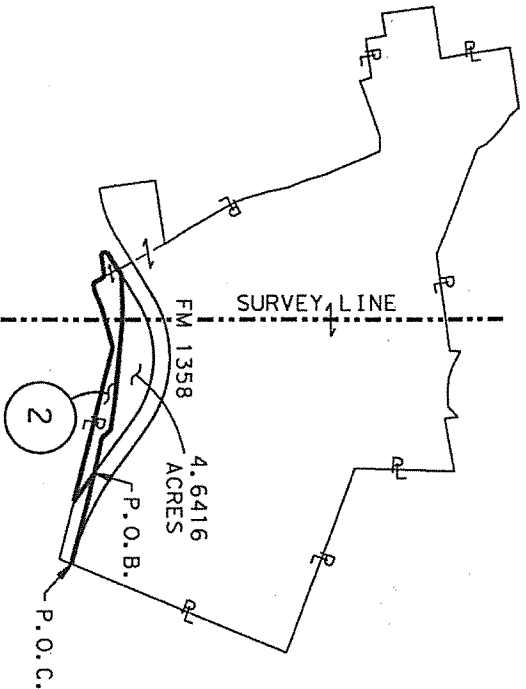
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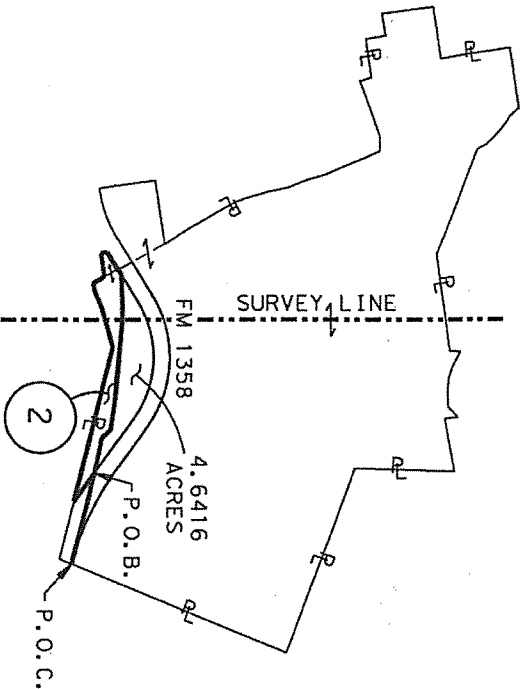
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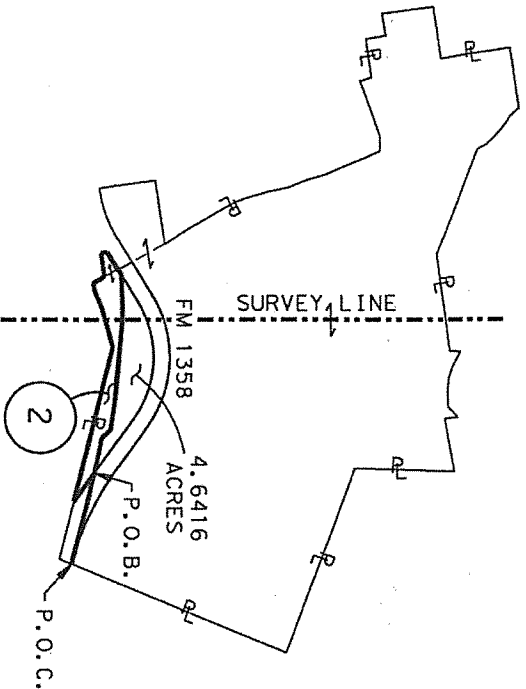
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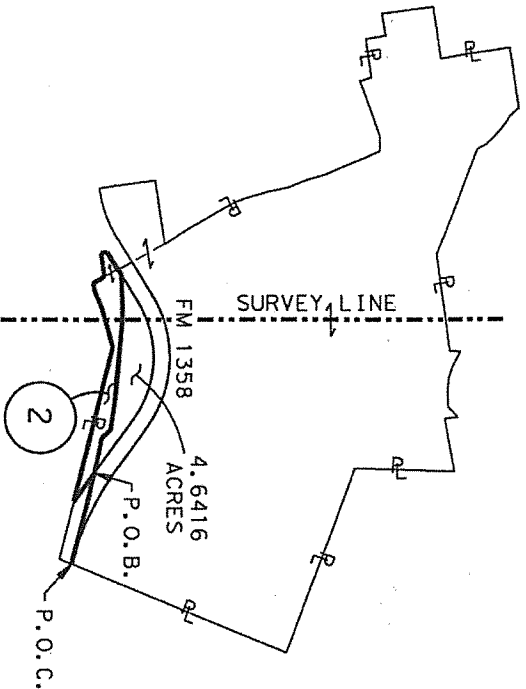
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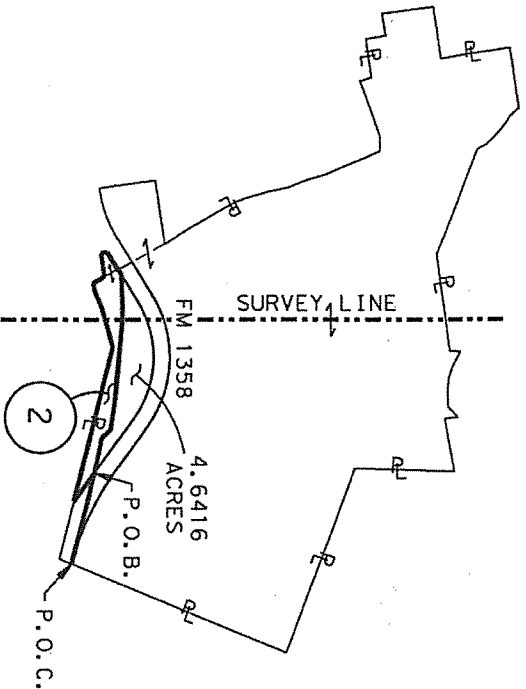
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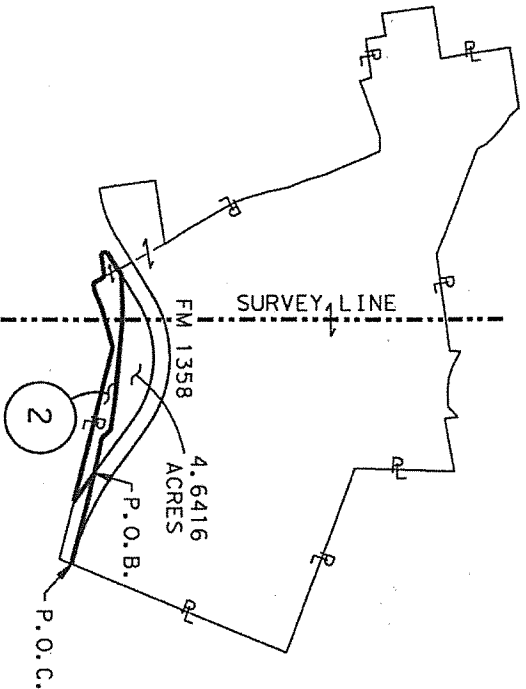
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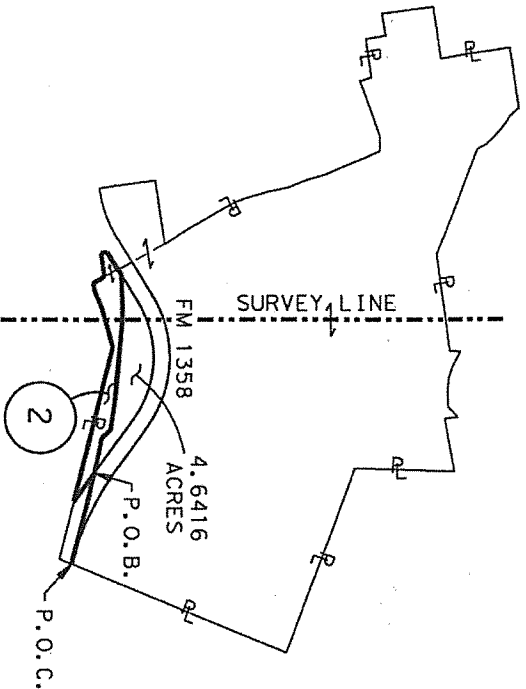
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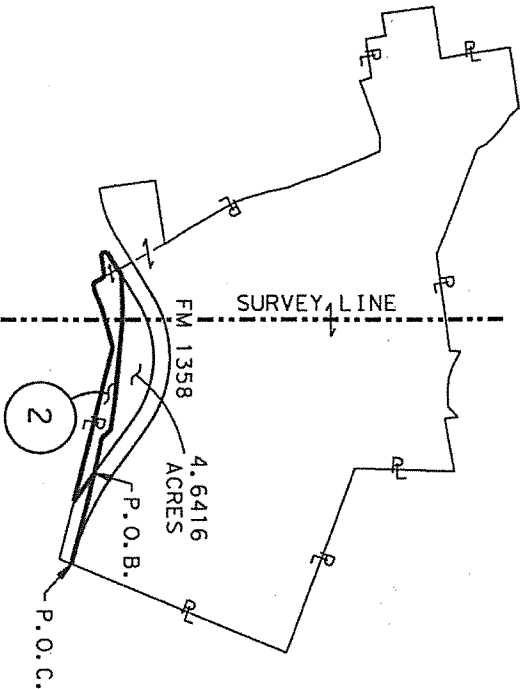
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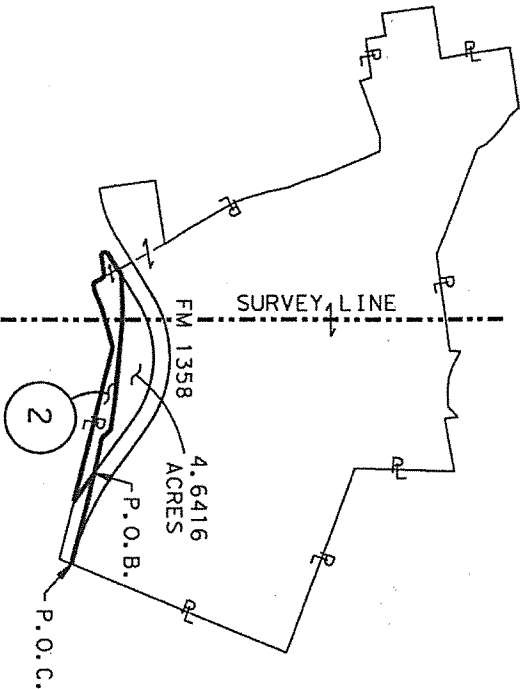
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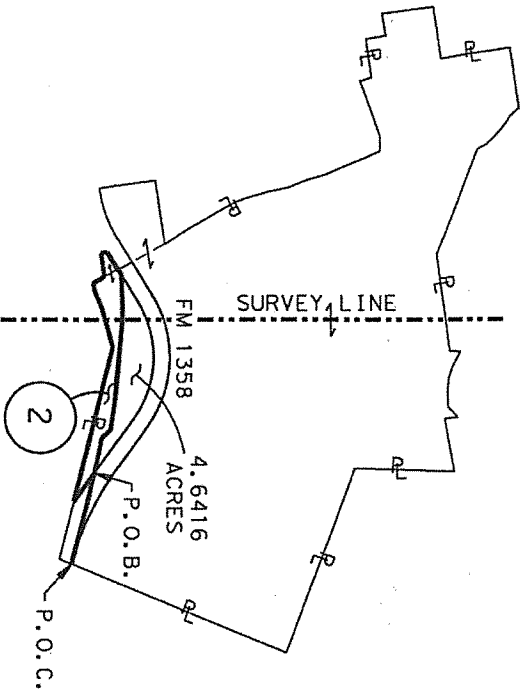
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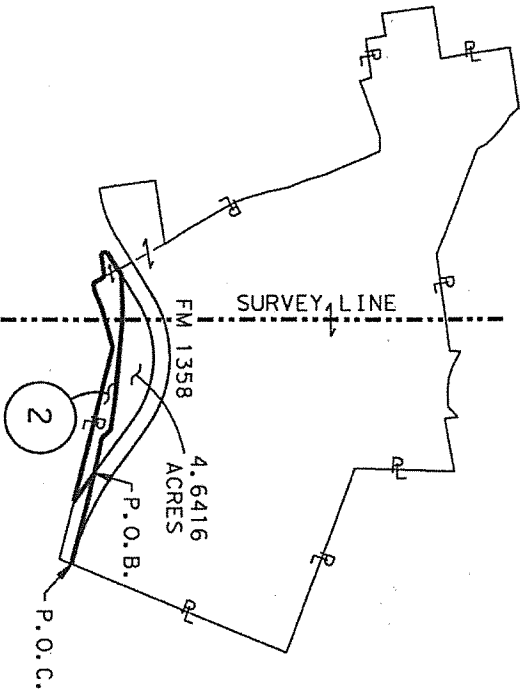
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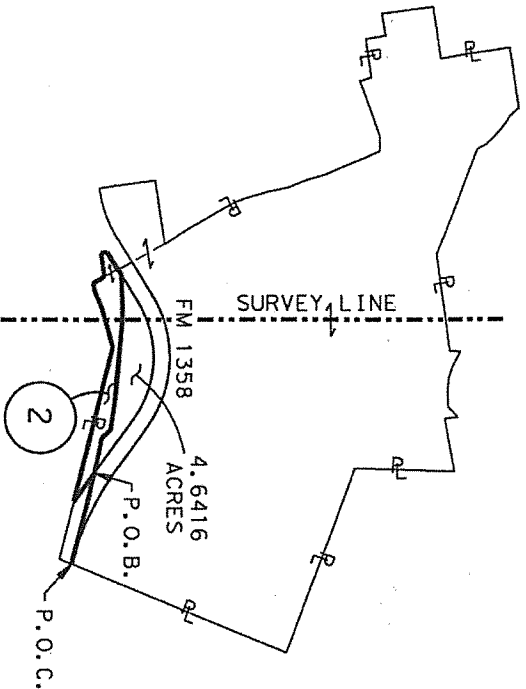
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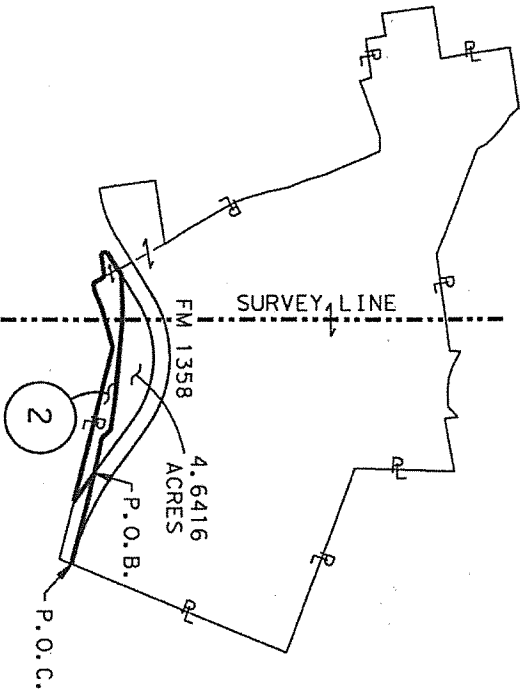
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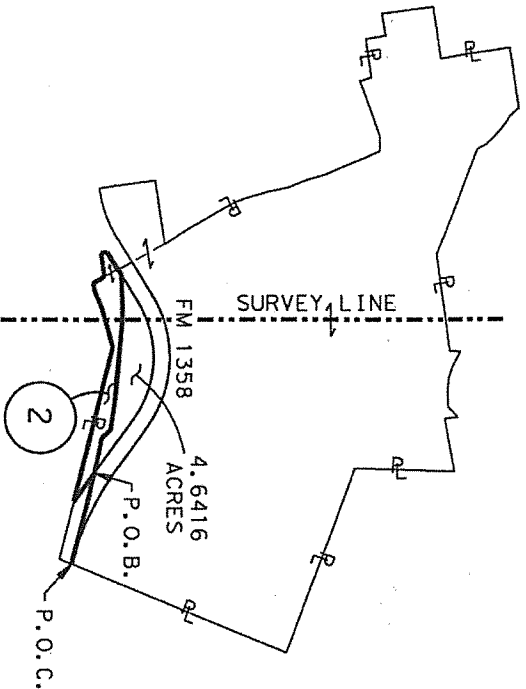
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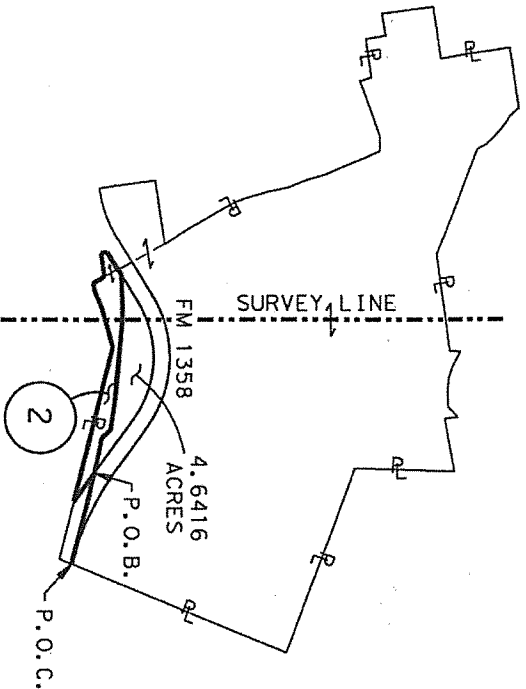
A - 26

LUIS LEAL SURVEY A - 23

A - 23

PARENT TRACT INSET FOR PARCEL NO. 2

N.T.S.



SANTIAGO MCGLOIN SURVEY A - 26

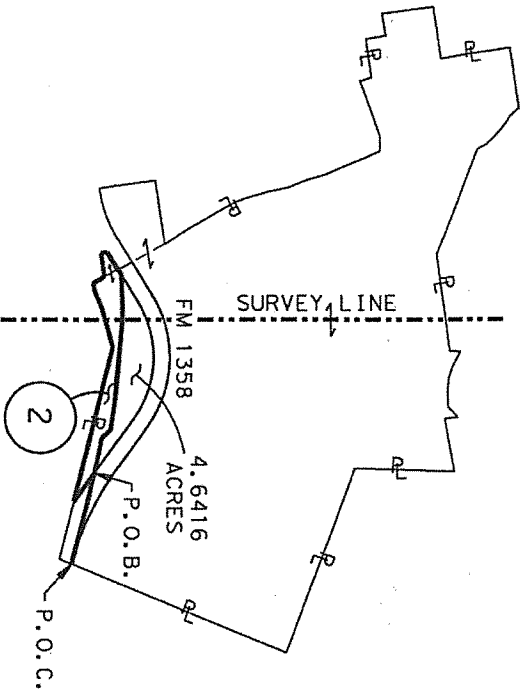
A - 26

LUIS LEAL SURVEY A - 23

A - 23

PARENT TRACT INSET FOR PARCEL NO. 2

N.T.S.



SANTIAGO MCGLOIN SURVEY A - 26

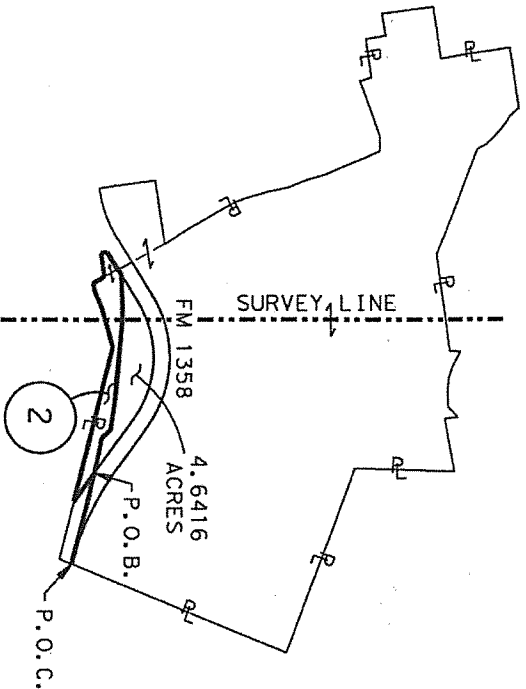
A - 26

LUIS LEAL SURVEY A - 23

A - 23

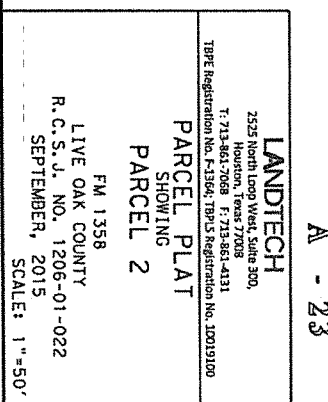
PARENT TRACT INSET FOR PARCEL NO. 2

N.T.S.



A - 26

CURVE	PCRY-1				
P.1.	STATION				
N		15.93	81		
DELTA		13.349	366.32		
TANGENT		2,258	082.46		
LENGTH		22.50	17"		(RT)
LONG		684.72			
RADIUS		1,551.25			
CHORD		3,390.00'			
BEAR		1.342	32'		
		N 61°51'03" E			



CURVE DATA			
CURVE	Δ	RADIUS	LENGTH
C4	03°07'36" RT	3,470.00'	189.37'
			N 66°27'41" E 189.34'

LUIS LEAL SURVEY A - 23

CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.1 ACRE FM 1358
VOL. 329, PG. 87
L.O.C.D.R.
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
(LESS THAT PORTION
TO STATE FOR FM 1358)
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995
PORTION OF PLAZA STREET AND
HARROD STREET (FORMERLY
DAVISON STREET)
4.6416 ACRES (CALCULATED AREA)
SOUTH OF FM 1358

STA. 17+65.00
OFF. 80.00' LT

PROPOSED ROW

C4

MATCH LINE SEE PAGE 6

MATCH LINE SEE PAGE 8

S 43°14'22" W 208.45'
LFND. 5/8" I.R.

PROPOSED BASELINE FM 1358

PCRV-1

S 73°05'51" W 806.46'
17+00

KIBBE RANCHES, LTD.
CALLED 340.72 ACRES
L.O.C.C.F. NO. 2008179164
VOL. 104, PG. 811
O.P.R.L.O.C.
JANUARY 10, 2008

CURVE PCRV-1	
P.I. STATION	
N	15+93.81
E	13,349,366.32
	2,258,082.46
DELTA	22°50'17" (RT)
TANGENT	684.72'
LENGTH	1,351.25'
RADIUS	3,390.00'
LONG CHORD	1,342.32'
CHORD BEAR	N 61°51'03" E

LANDTECH

2525 North Loop West, Suite 300,
Houston, Texas 77008
T: 713-861-7068 F: 713-861-4131
TIF# Registration No. P-3304 TIF#S Registration No. 10019100

PARCEL PLAT
SHOWING
PARCEL 2

FM 1358
LIVE OAK COUNTY
S.J. NO. 1206-01-022
SEPTEMBER, 2015
SCALE: 1"=50'

EXHIBIT Page 1 of 14
"B"

County: Live Oak
Highway: FM 1358
RCSJ: 1206-01-022
Limits: From IH 37 to 0.947 Mile East of IH 37

Property Description for Tract 1, Part 1, Part 2, and Part 3

Being a total of 2.4151 acres or 105,199 square feet of land situated in the Santiago McGloin Survey, Abstract No. 26 and the Luis Leal Survey, Abstract No. 23, Live Oak County, Texas; said 2.4151 acre tract being out of the existing right of way for FM 1358 as shown on the existing right of way map of FM 1358 (map dated April 17, 1952, CSJ No. 1206-01-02) and described in the following Right of Way deeds to the State of Texas: a called 0.23 of an acre tract described in deed dated May 7, 1952, recorded in Volume 145, Page 53, Live Oak County Deed Records (L.O.C.D.R.), a called 0.52 of an acre tract described in a deed dated June 23, 1952, recorded in Volume 145, Page 473, L.O.C.D.R., and a called 2.03 acre tract described in a deed dated April 22, 1952 recorded in Volume 145, Page 85, L.O.C.D.R.; metes and bounds description of said 2.4151 acre tract being more particularly described in three parts as follows:

Tract 1 Part 1
(0.0053 of an acre or 230 square feet)

COMMENCING at a point (from which a found 5/8 inch iron rod bears North 50° 38' 50" East, 1.58 feet) in the existing northeast right-of-way line of IH 37 (width varies) per Volume 53, Page 89, L.O.C.D.R.; said point being the west corner of the residue of Block 12, of the Oakville Townsite, recorded in Volume "K", Pages 638 and 639, L.O.C.D.R.;

THENCE North 50° 38' 50" East, along the northwest line of Block 12, Block 7, and Block 8, of said Oakville Townsite, a distance of 980.07 feet to a point for the north corner of said Block 8;

THENCE South 39° 21' 10" East, along the northeast line of said Block 8, a distance of 218.92 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the existing northwest right of way line of said FM 1358 for the northeast corner and the **POINT OF BEGINNING** (N= 13,349,092.30, E= 2,257,582.28) of the herein described tract;

- 1.) **THENCE** South 39° 21' 10" East, continuing along the northeast line of said Block 8, a distance of 14.60 feet to a point in the proposed northerly right of way of said FM 1358 for the southeasterly corner of the herein described tract; said point being in a curve to the left whose center bears South 37° 31' 13" East, 3,485.00 feet;

EXHIBIT Page 2 of 14
"B"

- 2.) **THENCE** along the proposed northerly right of way line of said FM 1358 and around said curve to the left with a radius of 3,485.00 feet, a central angle of $00^{\circ} 31' 15''$, an arc length of 31.67 feet, and a chord which bears South $52^{\circ} 13' 10''$ West, 31.67 feet to a 5/8 inch iron rod with TxDot Aluminum cap set at the intersection of the existing northwest right of way line of said FM 1358 for the westerly corner of the herein described tract; said point being in a curve to the left whose center bears North $62^{\circ} 34' 12''$ West, 676.20 feet;**
- 3.) **THENCE** along the existing northwest right of way line of said FM 1358 and around said curve to the left with a radius of 676.20 feet, a central angle of $00^{\circ} 14' 37''$, an arc length of 2.87 feet, and a chord which bears North $27^{\circ} 18' 30''$ East, 2.87 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set for the point of tangency;
- 4.) **THENCE** North $27^{\circ} 11' 12''$ East, continuing along the existing northwest right of way line of said FM 1358, a distance of 31.64 feet to the **POINT OF BEGINNING** and containing 0.0053 of an acre or 230 square feet of land.

Tract 1 Part 2
(0.5195 of an acre or 22,628 square feet)

COMMENCING at a point (from which a found 5/8 inch iron rod bears North $50^{\circ} 38' 50''$ East, 1.58 feet) in the existing northeast right-of-way line of IH 37 (width varies) per Volume 53, Page 89, L.O.C.D.R.; said point being the west corner of the residue of Block 12, of the Oakville Townsite, recorded in Volume "K", Pages 638 and 639, L.O.C.D.R.;

THENCE North $50^{\circ} 38' 50''$ East, along the northwest line of Block 12, Block 7, and Block 8, of said Oakville Townsite, a distance of 980.07 feet to a point for the north corner of said Block 8;

THENCE South $39^{\circ} 21' 10''$ East, along the northeast line of Block 8, a distance of 218.92 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the existing northwest right of way line of said FM 1358 for a corner;

THENCE North $27^{\circ} 11' 12''$ East, along the existing northwest right of way line of said FM 1358, a distance of 123.32 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the centerline of Sulphur Creek for the northwesterly corner and the **POINT OF BEGINNING** (N= 13,349,201.99, E= 2,257,638.62) of the herein described tract;

EXHIBIT "B" Page 3 of 14

"B"

- 1.) **THENCE** North 27° 11' 12" East, continuing along the existing northwest right of way line of said FM 1358, a distance of 171.66 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set for the point of curvature of a curve to the right;
- 2.) **THENCE** continuing along the existing northwest right of way line of said FM 1358 and around said curve to the right with a radius of 612.96 feet, a central angle of 11° 22' 05", an arc length of 121.62 feet, and a chord which bears North 32° 52' 14" East, 121.42 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set in the westerly line of a called 30 foot Public Road for the most northerly corner of the herein described tract;
- 3.) **THENCE** South 48° 00' 48" East, along the westerly line of said 30 foot Public Road, a distance of 80.17 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the existing southeast right of way line of said FM 1358 for the northeasterly corner of the herein described tract; said point being in a curve to the left whose center bears South 51° 57' 41" East, 532.96 feet;
- 4.) **THENCE** along the existing southeast right of way line of said FM 1358 and around said curve to the left with a radius of 532.96 feet, a central angle of 10° 51' 07", an arc length of 100.94 feet, and a chord which bears South 32° 36' 45" West, 100.79 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set for the point of tangency;
- 5.) **THENCE** South 27° 11' 12" West, along the existing southeast right of way line of said FM 1358, a distance of 167.32 feet to a 5/8 inch iron rod with TxDot aluminum cap set in the proposed northerly right of way line of said FM 1358 for the westerly corner of the herein described tract; said point being in a curve to the left whose center bears South 35° 04' 04" East, a distance of 3,485.00 feet;
- 6.) **THENCE** along the proposed northerly right of way line of said FM 1358 and around said curve to the left with a radius of 3,485.00 feet, a central angle of 00° 03' 16", an arc length of 3.32 feet, and a chord which bears South 54° 54' 18" West, 3.32 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set in the centerline of said Sulphur Creek for the most southerly corner of the herein described tract;
- 7.) **THENCE** North 65° 49' 08" West, along the centerline of said Sulphur Creek, a distance of 38.51 feet to a Mag Nail set in the existing centerline of said FM 1358 for an angle point;

EXHIBIT Page 4 of 14

"B"

- 8.) **THENCE** North 61° 56' 05" West, continuing along the centerline of said Sulphur Creek, a distance of 40.00 feet to the **POINT OF BEGINNING** and containing 0.5195 of an acre or 22,628 square feet of land.

Tract 1 Part 3
(1.8903 acres or 82,341 square feet)

BEGINNING (N= 13,349,713.57, E= 2,259,098.72) at a 5/8 inch iron rod with TxDot aluminum cap set (from which a found one inch iron pipe bears North 08° 39' 27" West, 1.37 feet) in the existing north right of way line of FM 1358 (80 feet wide right of way per Vol. 145, Page 85, L.O.C.D.R.) and the east line of a called 87.09 acre tract described in a deed dated January 12, 1981 from Roy A. Jones, et ux, to Curtis G. Clopton and wife Laurie A. Clopton, recorded in Volume 329, Page 87, L.O.C.D.R., for the southwest corner of the residue of a called 30.0 acre tract described in a deed dated October 14, 1959 from Henry E. Houdmann to Daniel T. Garcia and Ysidro L. Garcia, recorded in Volume 182, Page 501, L.O.C.D.R.;

- 1.) **THENCE** South 73° 16' 12" West, across the existing right of way of said FM 1358 and along the proposed northerly right of way line of said FM 1358, a distance of 388.49 feet to a 5/8 inch iron rod with TxDot aluminum cap set for the point of curvature of a curve to the left; said point being 40.00 feet left from the proposed FM 1358 baseline station 22+60.34;**
- 2.) **THENCE** continuing along the proposed northerly right of way line of said FM 1358 and around said curve to the left with a radius of 3,430.00 feet, a central angle of 01° 23' 54", an arc length of 83.71 feet, and a chord which bears South 72° 34' 15" West, 83.70 feet to a 5/8 inch iron rod with TxDot aluminum cap set at the intersection of the existing south right of way line of said FM 1358 (right of way width varies per Volume 145, Page 85, L.O.C.D.R.) for an angle point in the northerly line of a calculated 4.6416 acre tract of land out of said 87.09 acre tract, all of Block 8 including the portion between the east line of Block 8 and Sulphur Creek, as shown on the plat of Oakville Townsite, recorded in Volume "K", Pages 638 and 639, L.O.C.D.R., described in a deed dated December 19, 1995 from Roy A. Jones to Curtis G. Clopton and Laurie A. Clopton, recorded in Volume 514, Page 203, L.O.C.D.R., a portion of Plaza Street and Harrod Street (formerly Davison Street; now closed – 60 feet wide) and a portion of FM 1358, as fenced and occupied;
- 3.) **THENCE** North 85° 06' 48" West, along the existing south right of way of said FM 1358 and the northerly line of said 4.6416 acre tract, a distance of 340.36 feet to a 5/8 inch iron rod with with plastic cap stamped "Landtech" set for the point of curvature of a curve to the left;

EXHIBIT Page 5 of 14
"B"

- 4.) **THENCE** continuing along the existing southwest right of way line of said FM 1358 and the northerly line of said 4.6416 acre tract and around said curve to the left with a radius of 532.96 feet, a central angle of 53° 35' 25", an arc length of 498.49 feet, and a chord which bears South 68° 05' 29" West, 480.52 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the easterly line of a called 30 foot Public Road for the southwesterly corner of the herein described tract;
- 5.) **THENCE** North 48° 00' 48" West, along the easterly line of said 30 foot Public Road, a distance of 80.01 feet to a 5/8 inch iron rod with cap with plastic cap stamped "Landtech" set in the existing northerly right of way line of said FM 1358 for the northwesterly corner of the herein described tract; said point being in a curve to the right whose center bears South 48° 36' 49" East, a distance of 612.96 feet;
- 6.) **THENCE** along the existing northerly right of way line of said FM 1358 and the southerly line of the residue of said 87.09 acre Clopton tract (north of FM 1358) and around said curve to the right with a radius of 612.96 feet, a central angle of 53° 30' 00", an arc length of 572.35 feet, and a chord which bears North 68° 08' 11" East, 551.78 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set for the point of tangency;
- 7.) **THENCE** South 85° 06' 48" East, continuing along the existing northerly right of way line of said FM 1358 and the southerly line of the residue of said 87.09 acre Clopton tract (north of FM 1358), a distance of 273.72 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set for the point of curvature of a curve to the left;
- 8.) **THENCE** continuing along the existing northerly right of way line of said FM 1358 and the southerly line of the residue of said 87.09 acre Clopton tract (north of FM 1358) and around said curve to the left with a radius of 1,392.39 feet, a central angle of 21° 16' 34", an arc length of 517.05 feet, and a chord which bears North 84° 14' 55" East, 514.08 feet to the **POINT OF BEGINNING** and containing 1.8903 acres or 82,341 square feet of land.**

Tract 1 Summary:

Part 1:

0.0053 acres (230 square feet) Santiago McGloin Survey, A-26

Part 2:

0.5192 acres (22,618 square feet) Santiago McGloin Survey, A-26

0.0003 acres (10 square feet) Luis Leal Survey, A-23

Part 3:

1.8903 acres (82,341 square feet) Luis Leal Survey, A-23

EXHIBIT Page 6 of 14
"B"

Notes:

1. All bearings and coordinates are referenced to the Texas Coordinate System of 1983, South Central Zone (4204), North American Datum of 1983 (TxDOT VRS, Epoch 2010.00).
2. All distances and coordinates shown are grid values. Grid values equal surface values. TxDOT Adjustment Scale Factor = 1.00000 for Live Oak County, Texas.
3. Unit of Measure = U.S. Survey feet
4. Survey date – July 28, 2015 and April, 2016.
5. The streets and right of way lines noted are based on the recorded map of Oakville Townsite, recorded in Volume "K", Pages 638 and 639 of the Live Oak County Deed Records. The street right of way widths were determined by the location of found monumentation and as shown on the existing right of way map of FM 1358 (CSJ No. 1206-1-2, dated April 17, 1952). The recorded map of Oakville Townsite does not show right of way widths or street dedication to the public. The streets noted as closed appear to have been closed for a long period of time.
6. ** The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Tract 1" of even survey date herewith accompanies this legal description.

7/18/2016

Leo M. Delatorre
Registered Professional Land Surveyor
Texas Registration No. 5113

Date:



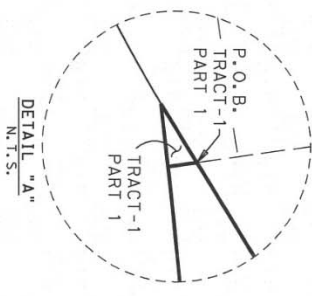
Landtech Consultants, Inc.
2525 North Loop West, Suite 300
Houston, Texas 77008
(713) 861-7068
TBPLS Firm No. 10019100

- LEGEND**
- PROPOSED R.O.W.
 - EXISTING R.O.W.
 - PROPERTY LINE
 - EASEMENT
 - SURVEY LINE
 - TYPE I CONCRETE MONUMENT FOUND
 - TYPE II CONCRETE MONUMENT SET
 - 5/8" IRON ROD SET W/ CAP
 - PROPERTY CORNER FOUND AS NOTED
 - PARCEL NO.
 - POWER LINE
 - GAS LINE
 - FENCE
 - ACCESS DENIAL LINE
 - POINT OF BEGINNING
 - POINT OF COMMENCING
 - LIVE OAK COUNTY DEED RECORDS
 - LIVE OAK COUNTY MAP RECORDS
 - OFFICIAL PUBLIC RECORDS
 - LIVE OAK COUNTY
 - LIVE OAK COUNTY CLERK'S FILE

GENERAL NOTES

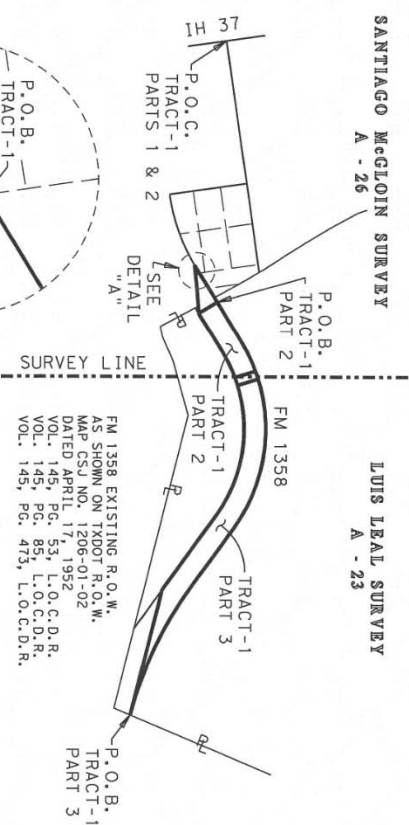
- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (TXDOT VRS EPOCH 2010.00) UNIT OF MEASURE = U.S. SURVEY FEET. ALL DISTANCES AND COORDINATES SHOWN ARE GRID VALUES. GRID = SURFACE. TXDOT SCALE FACTOR = 1.00000.
- ALL SURVEY CONTROL POINTS WERE ESTABLISHED BY GPS-RTK METHODS. TXDOT CONTROL POINTS 4, 5, 6, 7 AND "OAKVILLE" WERE SURVEYED AND VERIFIED DURING THE TIME OF THIS SURVEY.
- FIELD SURVEYS WERE PERFORMED BETWEEN JULY, 2015 THROUGH AUGUST, 2015.
- THE STREETS AND RIGHT OF WAY LINES SHOWN ARE BASED ON THE MAP OF OAKVILLE TOWNSHIP, RECORDED IN VOLUME "K", PAGES 638 AND 639 OF THE LIVE OAK COUNTY DEED RECORDS. THE STREET RIGHT OF WAY WIDTHS WERE DETERMINED BY THE LOCATION OF FOUND MONUMENTATION AND AS SHOWN ON THE EXISTING RIGHT OF WAY MAP OF FM 1358 (CSJ NO. 1206-1-2, DATED APRIL 17, 1952). THE MAP PLAT OF OAKVILLE TOWNSHIP DOES NOT SHOW THE RIGHT OF WAY OF THE STREETS SHOWN AS CLOSED APPEAR TO HAVE BEEN CLOSED FOR A LONG PERIOD OF TIME.
- A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
- ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY THE STATE.

DETAIL "A"



TRACT-1 SUMMARY

PART 1	0.0053 ACRES (230 S.F.) SANTIAGO MCGLOIN SURVEY, A-26
PART 2	0.5192 ACRES (22,618 S.F.) SANTIAGO MCGLOIN SURVEY, A-26
PART 3	0.0003 ACRES (10 S.F.) LUIS LEAL SURVEY, A-23
PART 3	1.8903 ACRES (82,341 S.F.) LUIS LEAL SURVEY, A-23



PARENT TRACT INSET FOR TRACT-1

N.T.S.

I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

LEO M. DELATORRE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5113

DATE 7/18/2016

REVISED JUNE 23, 2016

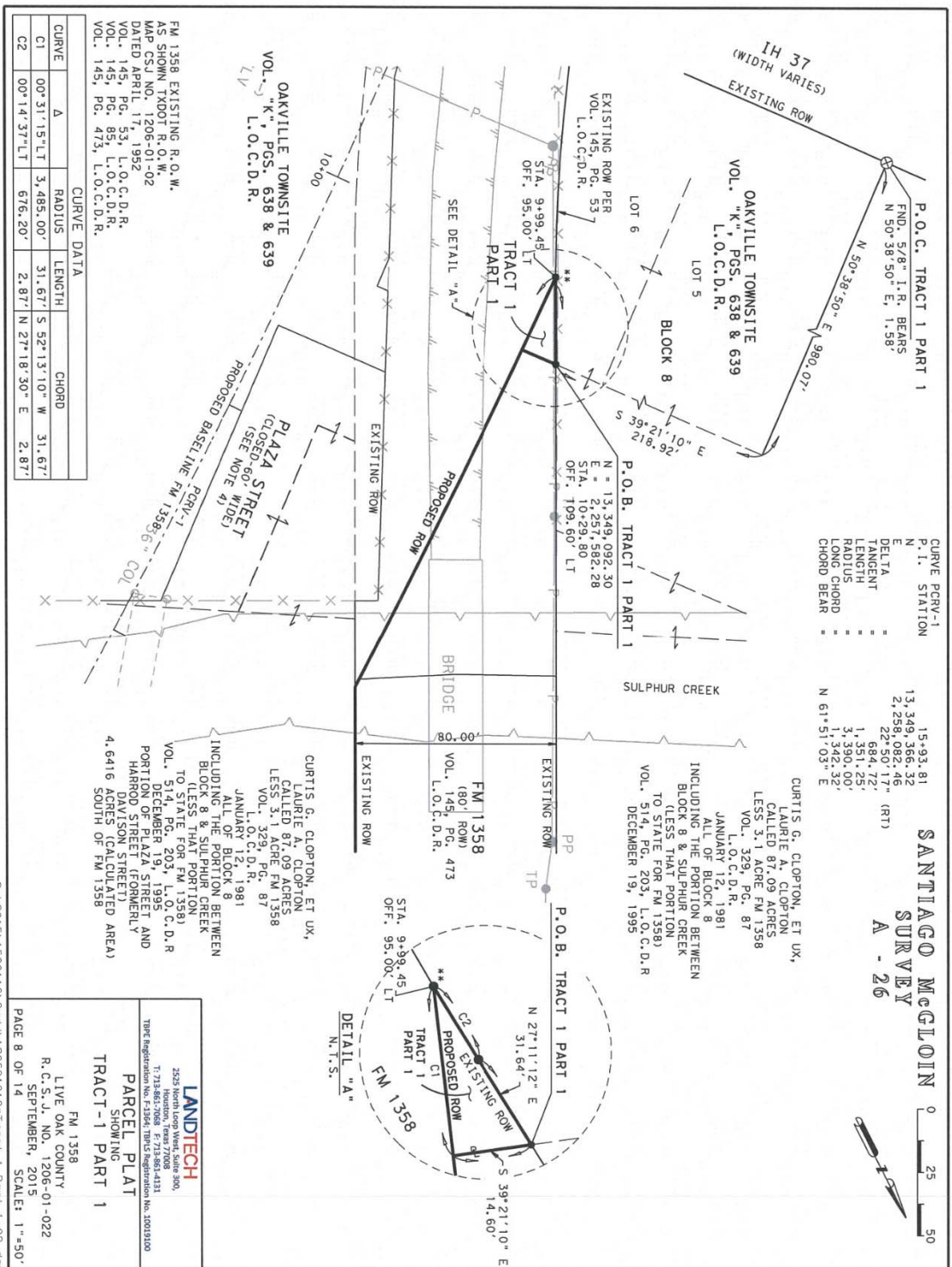
AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER LEFT	RIGHT
2.4151	0.0053	0	
	PART 1 230		
	PART 2 22,618		
	PART 3 10		
	PART 3 82,341		

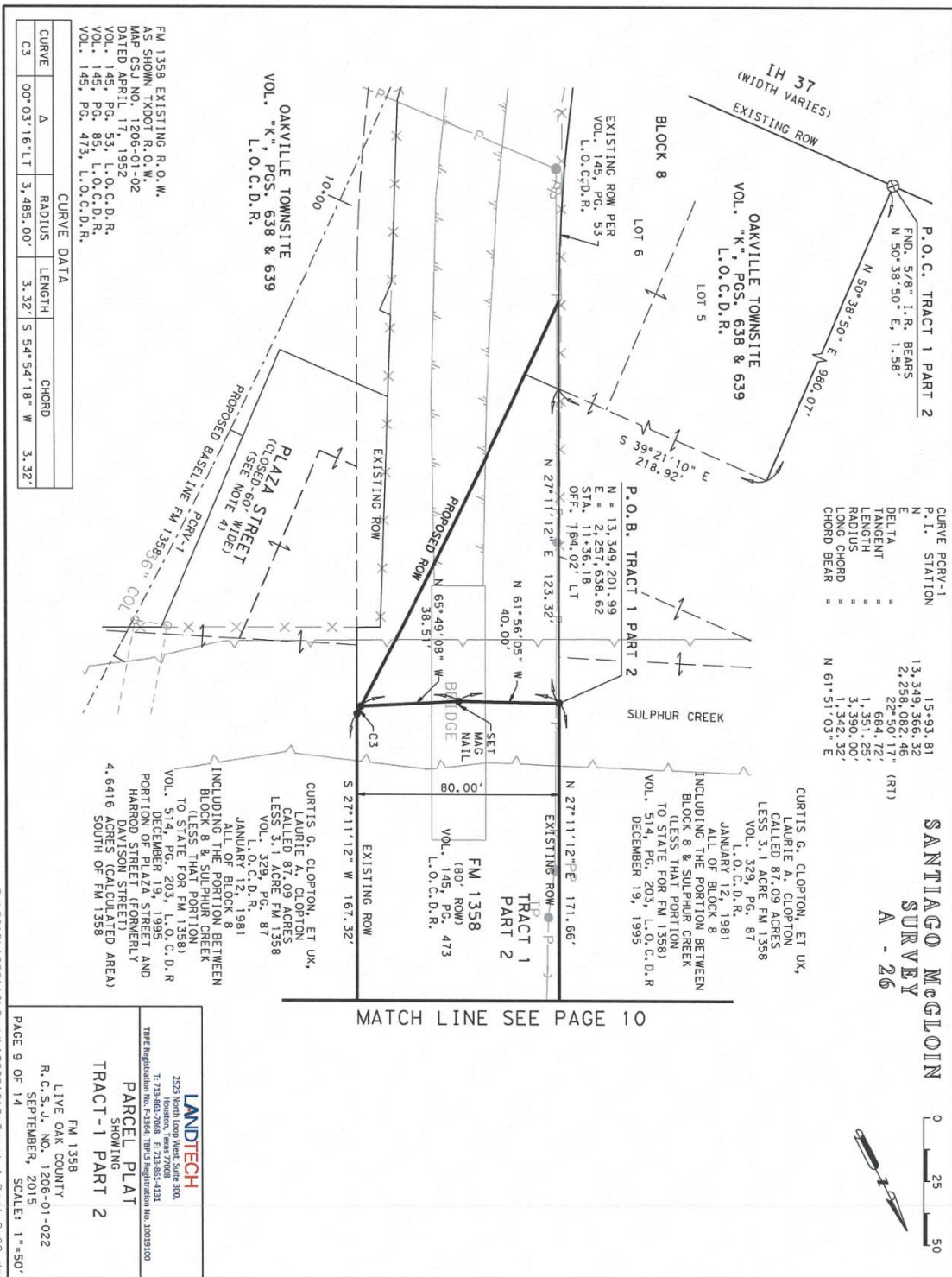
LANDTECH
2525 North Loop West, Suite 300,
Houston, Texas 77008
T 713.865.4311
F 713.865.4311
TYPE Registration No. F-3384; T-1815; Registration No. 10019100

PARCEL PLAT
SHOWING
TRACT-1

FM 1358
LIVE OAK COUNTY
R.C.S.U. NO. 1206-01-022
SEPTEMBER, 2015
SCALE: N.T.S.

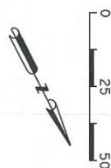
PAGE 7 OF 14





CURVE DATA			
CURVE	A	RADIUS	LENGTH
C1	11°22'05"RT	612.96'	121.62'
C2	10°51'07"LT	532.96'	100.94'

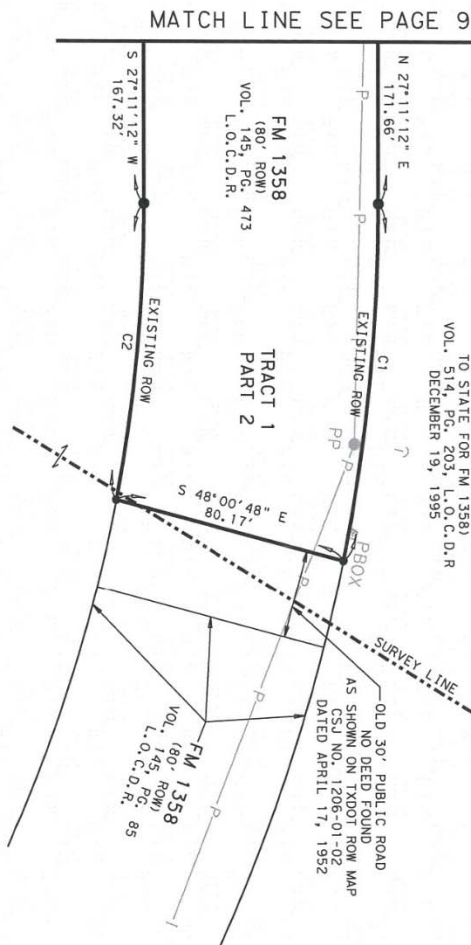
SANTIAGO McGLONIN SURVEY A - 26



CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.1 ACRE FM 1358
VOL. 329, PG. 87
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
(LESS THAT PORTION
TO STATE FOR FM 1358)
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995

LUIS LEAL SURVEY A - 23

OLD 30' PUBLIC ROAD
NO DEED FOUND
AS SHOWN ON TxDOT ROW MAP
CSJ NO. 1206-01-02
DATED APRIL 17, 1952



MATCH LINE SEE PAGE 9

CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.1 ACRE FM 1358
VOL. 329, PG. 87
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
(LESS THAT PORTION
TO STATE FOR FM 1358)
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995
HARROD STREET (FORMERLY
DAVISON STREET)
4.6416 ACRES (CALCULATED AREA)
SOUTH OF FM 1358

2523 North Loop West, Suite 300,
Houston, Texas 77028
T: 713-861-2068 F: 713-861-4131
TIER2 Registration No. F-3844; TIER3 Registration No. 10019100

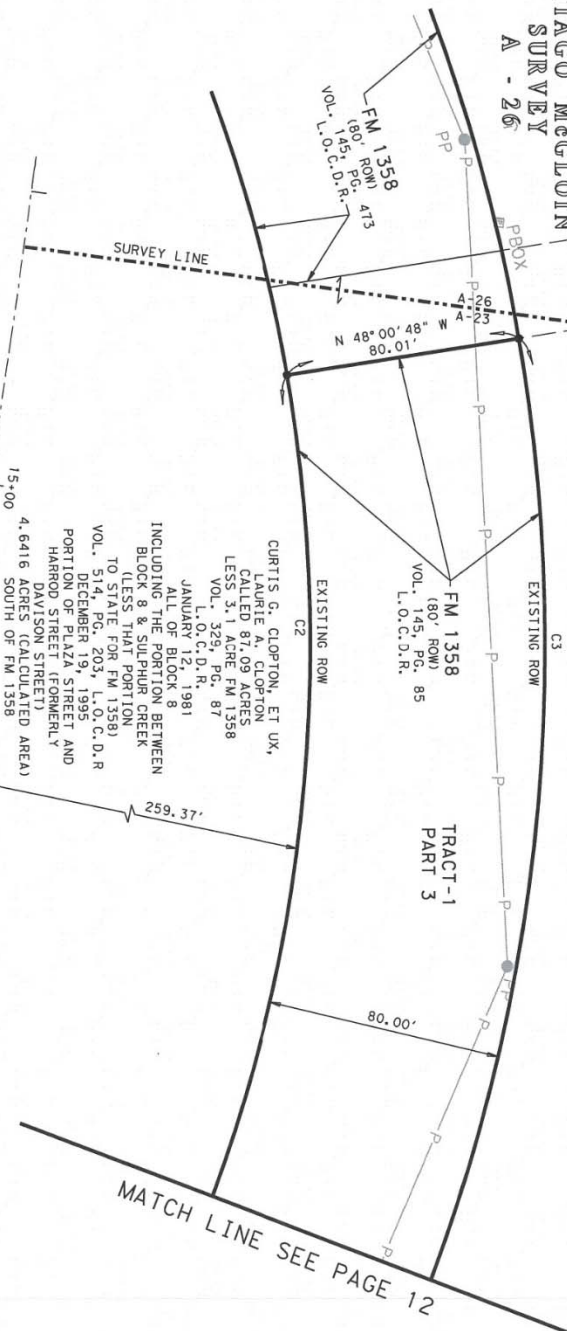
FM 1358
LIVE OAK COUNTY
R.C.S.-J, NO. 1206-01-022
SEPTEMBER, 2015
SCALE: 1"=50'

PARCEL PLAT
SHOWING
TRACT-1 PART 2

CURVE DATA			
CURVE	Δ	RADIUS	LENGTH
C2	53°35'25" L	532.96'	496.49'
C3	53°30'00" RT	612.96'	572.35'

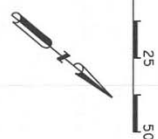
OLD 30' PUBLIC ROAD
NO DEED FOUND
AS SHOWN ON
TXDOT ROW MAP
CSJ NO. 1206-01-02
DATED APRIL 17, 1952

SANTIAGO MCGLOIN SURVEY A - 26



CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
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ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
TO STATE FOR FM 1358
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995

CURVE	PCRV-1	STATION
P.I.	15+93.81	
N	13,349.368, 42	
E	2,125.50, 17"	
DELTA	22°50'17"	(RT)
TANGENT	684.72'	
LENGTH	1,351.25'	
RADIUS	3,390.00'	
LONG CHORD	1,342.32'	
CHORD BEAR	N 61°51'03" E	



LUIS LEAL SURVEY A - 23

FM 1358 EXISTING R.O.W.
AS SHOWN TXDOT R.O.W.
MAP CSJ NO. 1206-01-02
DATED APRIL 17, 1952
VOL. 145, PG. 83, L.O.C.D.R.
VOL. 145, PG. 83, L.O.C.D.R.
VOL. 145, PG. 473, L.O.C.D.R.

2525 North Loop West, Suite 300,
Houston, Texas 77008
T: 713.462.7000 F: 713.462.4131
TBEF Registration No. E-13954, TBEIS Registration No. 10019100

PARCEL PLAT
SHOWING
TRACT-1 PART 3

FM 1358
LIVE OAK COUNTY
R.C.S.J. NO. 1206-01-022
SEPTEMBER, 2013
SCALE: 1"=50'

CURVE DATA			
CURVE	Δ	RADIUS	LENGTH
C2	53°35'25"LT	532.96'	498.49'
C3	53°30'00"RT	612.96'	572.35'

LUIS LEAL SURVEY A - 23

CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.1 ACRE FM 1358
VOL. 329, PG. 87
L.O.C.D.R.
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
LESS THAT PORTION
TO STATE FOR FM 1358
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995

CURVE PCRV-1
P.I. STATION
E
DELTA
TANGENT
LENGTH
RADIUS
LONG CHORD
CHORD BEAR
= 15+93.81
= 13,349.365.32
= 2,258.082.46
= 22°50'17" (RT)
= 684.72'
= 1,351.25'
= 3,390.00'
= 1,342.32'
= N 61°51'03" E

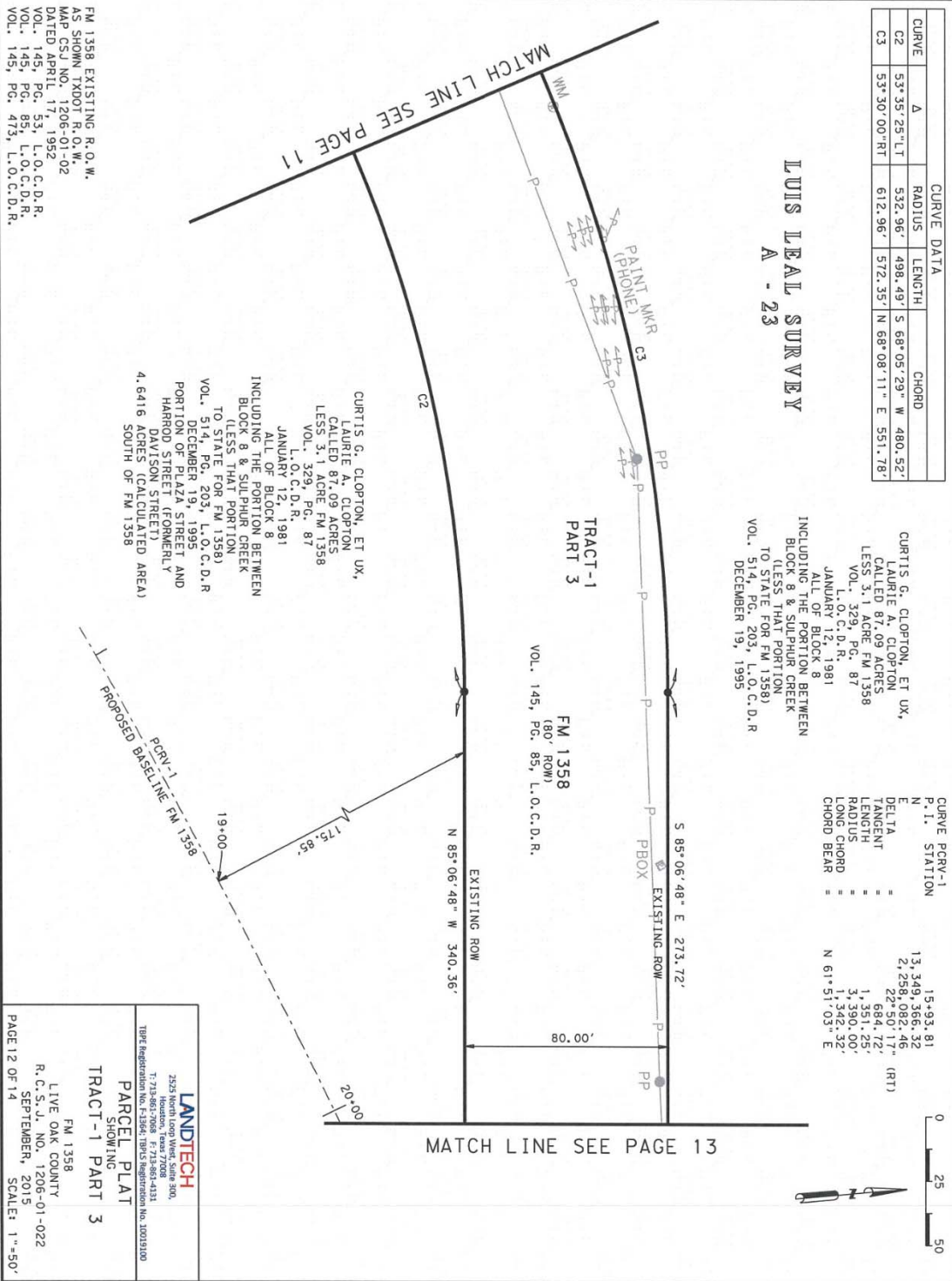
FM 1358 EXISTING R.O.W.
AS SHOWN TxDOT R.O.W.
MAP CSJ NO. 1206-01-02
DATED APRIL 17, 1992
VOL. 145, PG. 35, L.O.C.D.R.
VOL. 145, PG. 473, L.O.C.D.R.
VOL. 145, PG. 473, L.O.C.D.R.

CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.1 ACRE FM 1358
VOL. 329, PG. 87
L.O.C.D.R.
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
LESS THAT PORTION
TO STATE FOR FM 1358
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995
PORTION OF PLAZA STREET AND
HARROD STREET (FORMERLY
DAVISON STREET)
4.6416 ACRES (CALCULATED AREA)
SOUTH OF FM 1358

2525 North Loop West, Suite 300,
T-713-861-2068 F-713-861-4331
TIER Registration No. F-1364; TIRIS Registration No. J0013100

FM 1358
LIVE OAK COUNTY
R.C.S.-J. NO. 1206-01-022
SEPTEMBER, 2015
SCALE: 1"=50'

PARCEL PLAT
SHOWING
TRACT-1 PART 3



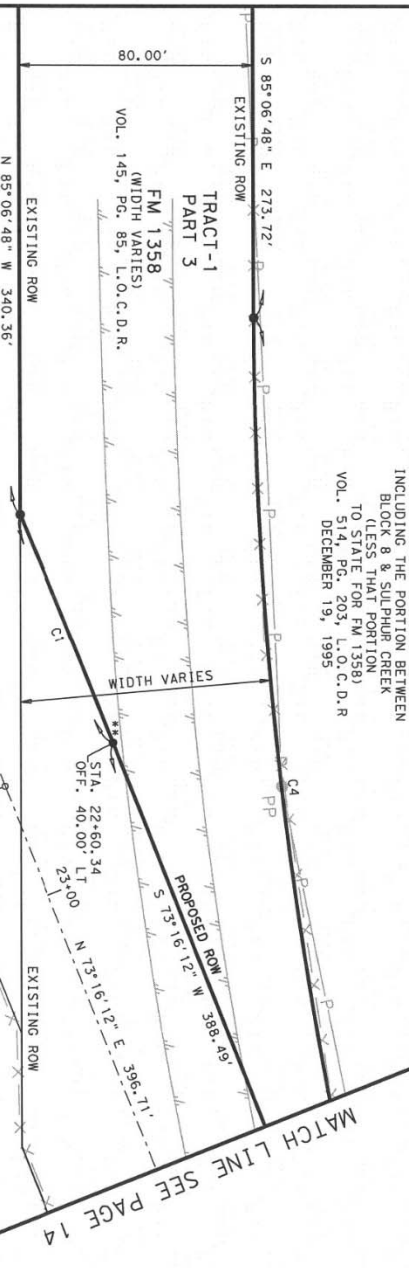
CURVE DATA			
CURVE	Δ	RADIUS	LENGTH
C1	01°23'54" L	3,430.00'	83.71'
C4	21°16'34" L	1,392.39'	517.05'

LUIS LEAL SURVEY A - 23



CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.1 ACRE FM 1358
VOL. 329, PG. 87
L.O.C.D.R.
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
(LESS THAT PORTION
TO STATE FOR FM 1358)
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995

MATCH LINE SEE PAGE 12



CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.1 ACRE FM 1358
VOL. 329, PG. 87
L.O.C.D.R.
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
(LESS THAT PORTION
TO STATE FOR FM 1358)
VOL. 514, PG. 203, L.O.C.D.R.
DECEMBER 19, 1995
PORTION OF 1/2 ACRE STREET AND
HARRIS STREET (FORMERLY
DAVIS STREET)
4.6416 ACRES (CALCULATED AREA)
SOUTH OF FM 1358

FM 1358 EXISTING R.O.W.
AS SHOWN TDDOT R.O.W.
MAP CSJ NO. 1206-01-02
DATED APRIL 17, 1952
VOL. 145, PG. 32, L.O.C.D.R.
VOL. 145, PG. 33, L.O.C.D.R.
VOL. 145, PG. 473, L.O.C.D.R.

CURVE PCRV-1	
P.I. STATION	
N	15+93.81
E	13+349.366.32
Δ	2,258.082.49 (RT)
Δ	22.80' 12"
TANGENT	1,381.25'
Δ	1,380.00'
Δ	1,342.32'
CHORD BEAR	N 61°51'03" E

2525 North Loop West, Suite 300,
Tomball, TX 77375
T: 713-861-2068 F: 713-861-4131
TIRE Registration No. F-1364; TIRE Registration No. 10013100

PARCEL PLAT
SHOWING
TRACT-1 PART 3
FM 1358
LIVE OAK COUNTY
R.C.S.L. NO. 1206-01-022
SEPTEMBER, 2015
SCALE: 1"=50'

PAGE 13 OF 14

CURVE DATA			
CURVE	Δ	RADIUS	LENGTH
C4	21°16'34"LT	1,392.39'	517.05'

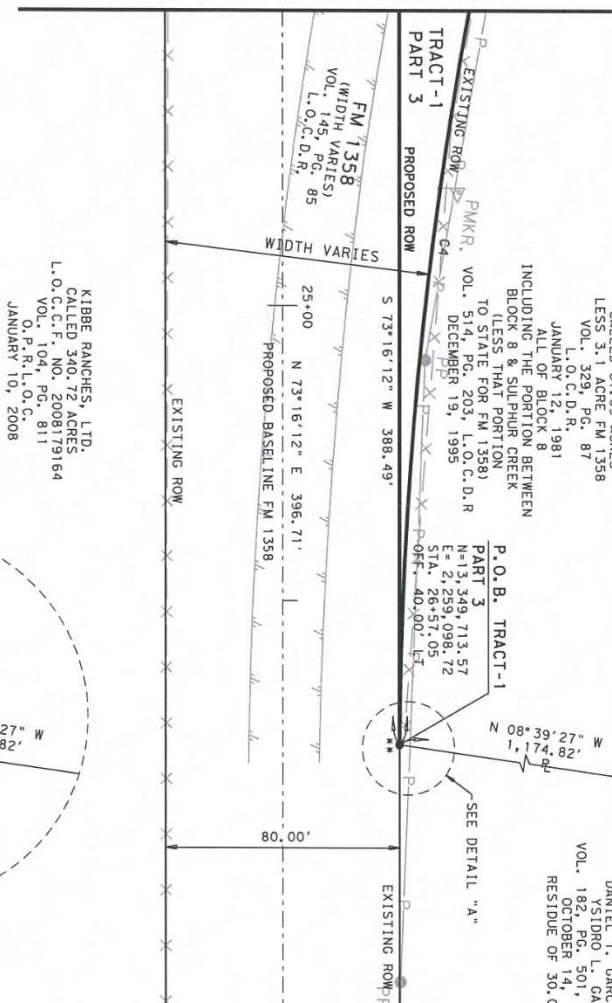
LUIS LEAL SURVEY A - 23

0 25 50

CURTIS G. CLOPTON, ET UX,
LAURIE A. CLOPTON
CALLED 87.09 ACRES
LESS 3.3 ACRES FM 1358
VOL. 1358, PG. 87
L.O.C.D.R.
JANUARY 12, 1981
ALL OF BLOCK 8
INCLUDING THE PORTION BETWEEN
BLOCK 8 & SULPHUR CREEK
(LESS THAT PORTION
TO STATE FOR FM 1358)
DECEMBER 19, 1995
P.O.B. TRACT-1
PART 3
N=13,349, 713.57
E=2,259, 098.72
STA. 26+57.05
OFF. 40.00' LT

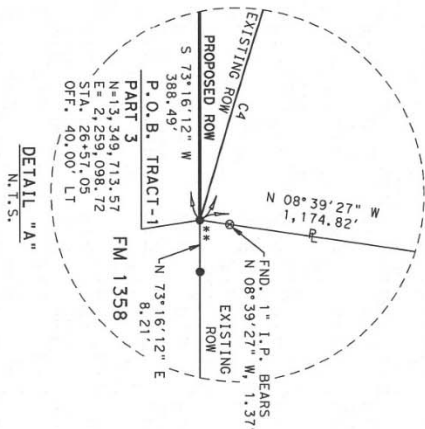
DANIEL T. GARCIA AND
YSIDRO L. GARCIA
VOL. 182, PG. 501, L.O.C.D.R.
OCTOBER 14, 1959
RESIDUE OF 30.0 ACRES

MATCH LINE SEE PAGE 13



KIBBE RANCHES, LTD.
CALLED 340.72 ACRES
LESS 1.04 ACRES FM 1358
VOL. 145, PG. 85
L.O.C.D.R.
O.P.R.L.O.C.
JANUARY 10, 2008

FM 1358 EXISTING R.O.W.
AS SHOWN TxDOT R.O.W.
DATE APRIL 12, 2008-09-02
VOL. 145, PG. 85
L.O.C.D.R.
VOL. 145, PG. 473, L.O.C.D.R.



2525 North Loop West, Suite 300,
T-713-865-2088 F-713-865-4331
TIER Registration No. F-1364; TIER Registration No. 10013100

PARCEL PLAT
SHOWING
TRACT-1 PART 3
FM 1358
LIVE OAK COUNTY
R.C.S.-J., NO. 1206-01-022
SEPTEMBER, 2015
SCALE: 1"=50'

EXHIBIT Page 1 of 7
"C"

County: Live Oak
Highway: FM 1358
RCSJ: 1206-01-022
Limits: From IH 37 to 0.947 Mile East of IH 37

Property Description for Tract 2, Part 1 and Part 2

Being a total of 0.1882 of an acre or 8,199 square feet of land situated in the Santiago McGloin Survey, Abstract No. 26 and the Luis Leal Survey, Abstract No. 23, Live Oak County, Texas; said 0.1882 acre tract being out of the existing right of way for FM 1358 (80 feet wide Right of Way - no deed of record found) as shown on the existing right of way map of FM 1358 (map dated April 17, 1952, CSJ No. 1206-01-02); metes and bounds description of said 0.1882 of an acre tract being more particularly described in two parts as follows:

Tract 2 Part 1

(0.1326 of an acre or 5,775 square feet)

COMMENCING at a point (from which a found 5/8 inch iron rod bears North 50° 38' 50" East, 1.58 feet) in the existing northeast right-of-way line of IH 37 (width varies) per Volume 53, Page 89, Live Oak County Deed Records (L.O.C.D.R.); said point being the west corner of the residue of Block 12, of the Oakville Townsite, recorded in Volume "K", Pages 638 and 639, L.O.C.D.R.;

THENCE North 50° 38' 50" East, along the northwest line of Block 12, Block 7, and Block 8, of said Oakville Townsite, a distance of 980.07 feet to a point for the north corner of said Block 8;

THENCE South 39° 21' 10" East, along the northeast line of said Block 8, a distance of 218.92 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the existing northwest right of way line of said FM 1358 for the most northerly corner of a called 0.23 of an acre tract described in deed to the State of Texas dated May 7, 1952, recorded in Volume 145, Page 53, L.O.C.D.R., and the northwesterly corner and the **POINT OF BEGINNING** (N= 13,349,092.30, E= 2,257,582.28) of the herein described tract;

- 1.) **THENCE** North 27° 11' 12" East, along the existing northwest right of way line of said FM 1358, a distance of 123.32 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the centerline of Sulphur Creek for the most westerly corner of a called 0.52 of an acre tract described in a deed to the State of Texas dated June 23, 1952, recorded in Volume 145, Page 473, L.O.C.D.R., and being the most northerly corner of the herein described tract;

EXHIBIT Page 2 of 7
"C"

- 2.) **THENCE** South $61^{\circ} 56' 05''$ East, along the centerline of said Sulphur Creek, a distance of 40.00 feet to Mag Nail set in the existing centerline of said FM 1358 for an angle point;
- 3.) **THENCE** South $65^{\circ} 49' 08''$ East, continuing along the centerline of said Sulphur Creek, a distance of 38.51 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set in the proposed northerly right of way line of said FM 1358; said point being in a curve to the left whose center bears South $35^{\circ} 07' 20''$ East, a distance of 3,485.00 feet;
- 4.) **THENCE** along the proposed northerly right of way line of said FM 1358 and around said curve to the left with a radius of 3,485.00 feet, a central angle of $02^{\circ} 23' 53''$, an arc length of 145.86 feet, and a chord which bears South $53^{\circ} 40' 43''$ West, 145.85 feet to a point in the northeast line of said Block 8 for the most southerly corner of the herein described tract;
- 5.) **THENCE** North $39^{\circ} 21' 10''$ West, along the northeast line of said Block 8, a distance of 14.60 feet to the **POINT OF BEGINNING** and containing 0.1326 of an acre or 5,775 square feet of land.

Tract 2 Part 2
(0.0556 of an acre or 2,424 square feet)

COMMENCING at a 5/8 inch iron rod with TxDot aluminum cap set (from which a found one inch iron pipe bears North $08^{\circ} 39' 27''$ West, 1.37 feet) in the existing north right of way line of FM 1358 (80 feet wide right of way per Volume 145, Page 85, Live Oak County Deed Records) and the east line of a called 87.09 acre tract described in a deed dated January 12, 1981 from Roy A. Jones, et ux, to Curtis G. Clopton and wife Laurie A. Clopton, recorded in Volume 329, Page 87, Live Oak County Deed Records (L.O.C.D.R.), for the southwest corner of the residue of a called 30.0 acre tract described in a deed dated October 14, 1959 from Henry E. Houdmann to Daniel T. Garcia and Ysidro L. Garcia, recorded in Volume 182, Page 501, L.O.C.D.R.; said point being in a curve to the right whose center bears North $16^{\circ} 23' 22''$ West, 1,392.39 feet; **Thence** as follows:

THENCE along the existing northwest right of way line of said FM 1358 and around said curve to the right with a radius of 1,392.39 feet, a central angle of $21^{\circ} 16' 34''$, an arc length of 517.05 feet, and a chord which bears South $84^{\circ} 14' 55''$ West, 514.08 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set for the point of tangency;

THENCE North $85^{\circ} 06' 48''$ West, continuing along the northwest line of FM 1358, a distance of 273.72 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set for the point of curvature of a curve to the left;

EXHIBIT Page 3 of 7
"C"

THENCE continuing along the existing northwest right of way line of said FM 1358 and around said curve to the left with a radius of 612.96 feet, a central angle of 53° 30' 00", an arc length of 572.35 feet, and a chord which bears South 68° 08' 11" West, 551.78 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set in the easterly line of a said 30 foot Public Road for the northwest corner and the **POINT OF BEGINNING** (N= 13,349,479.88, E= 2,257,802.41) of the herein described tract;

- 1.) **THENCE** South 48° 00' 48" East, along the easterly line of said 30 foot Public Road, a distance of 80.01 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the existing southeast right of way line of said FM 1358 for the northeasterly corner of the herein described tract; said point being in a curve to the left whose center bears North 48° 42' 13" East, 532.96 feet;
- 2.) **THENCE** along the existing southeast right of way line of said FM 1358 and around said curve to the left with a radius of 532.96 feet, a central angle of 03° 15' 28", an arc length of 30.30 feet, and a chord which bears South 39° 40' 03" West, 30.30 feet to a 5/8 inch iron rod plastic cap stamped "Landtech" set in the westerly line of said 30 foot Public Road for the most southerly corner of the herein described tract;
- 3.) **THENCE** North 48° 00' 48" West, along the westerly line of said 30 foot Public Road, a distance of 80.17 feet to a 5/8 inch iron rod with plastic cap stamped "Landtech" set in the existing northwest right of way line of said FM 1358 for the northwesterly corner of the herein described tract; said point being in a curve to the right whose center bears South 51° 26' 44" East, 612.96 feet;
- 4.) **THENCE** along the existing northwest right of way line of said FM 1358 and around said curve to the right with a radius of 612.96 feet, a central angle of 02° 49' 55", an arc length of 30.30 feet, and a chord which bears North 39° 58' 14" East, 30.29 feet to the **POINT OF BEGINNING** and containing 0.0556 of an acre or 2,424 square feet of land.

Tract 2 Summary:

Part 1:

0.1326 acres (5,775 square feet) Santiago McGloin Survey, A-26

Part 2:

0.0182 acres (792 square feet) Santiago McGloin Survey, A-26

0.0374 acres (1,632 square feet) Luis Leal Survey, A-23

June 23, 2016
Tract 2, Part 1 and Part 2

EXHIBIT Page 4 of 7
"C"

Notes:

1. All bearings and coordinates are referenced to the Texas Coordinate System of 1983, South Central Zone (4204), North American Datum of 1983 (TxDot VRS, Epoch 2010.00).
2. All distances and coordinates shown are grid values. Grid values equal surface values. TxDot Adjustment Scale Factor = 1.00000 for Live Oak County, Texas.
3. Unit of Measure = U.S. Survey feet
4. Survey date – July 28, 2015.
5. The streets and right of way lines noted are based on the recorded map of Oakville Townsite, recorded in Volume "K", Pages 638 and 639 of the Live Oak County Deed Records. The street right of way widths were determined by the location of found monumentation and as shown on the existing right of way map of FM 1358 (CSJ No. 1206-1-2, dated April 17, 1952). The recorded map of Oakville Townsite does not show right of way widths or street dedication to the public. The streets noted as closed appear to have been closed for a long period of time.
6. ** The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Tract 2" of even survey date herewith accompanies this legal description.

 7/18/2016

Leo M. Delatorre Date:
Registered Professional Land Surveyor
Texas Registration No. 5113



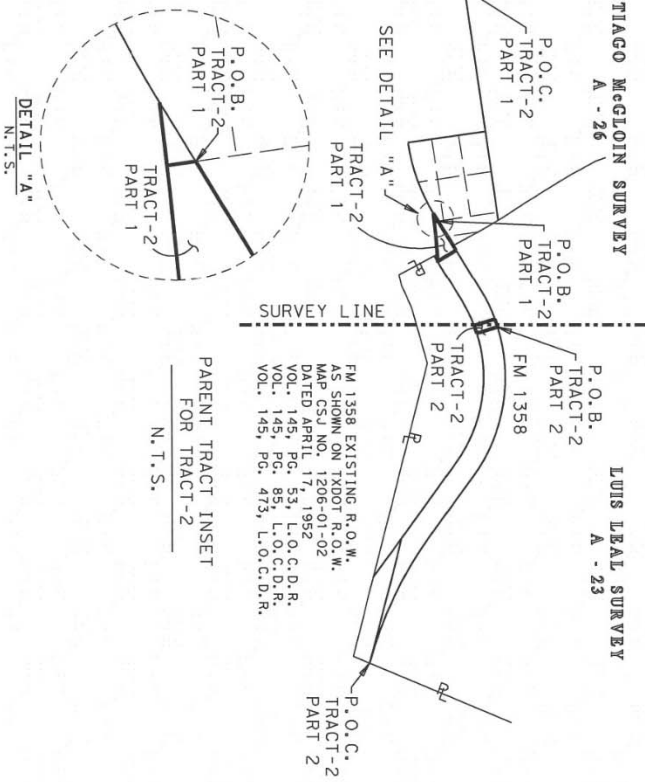
Landtech Consultants, Inc.
2525 North Loop West, Suite 300
Houston, Texas 77008
(713) 861-7068
TBPLS Firm No. 10019100

s:\2015\1520116\descriptions\tract-2-parts-1-2.docx

- LEGEND**
- PROPOSED R.O.W.
 - EXISTING R.O.W.
 - PROPERTY LINE
 - EASEMENT
 - SURVEY LINE
 - TYPE I CONCRETE MONUMENT FOUND
 - TYPE II CONCRETE MONUMENT SET
 - 5/8" IRON ROD SET W/ CAP
 - PROPERTY CORNER FOUND AS NOTED
 - PARCEL NO.
 - POWER LINE
 - GAS LINE
 - FENCE
 - ACCESS DENIAL LINE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. LIVE OAK COUNTY DEED RECORDS
 - L.O.C.D.R. LIVE OAK COUNTY MAP RECORDS
 - O.P.R.L.O.C. OFFICIAL PUBLIC RECORDS
 - LIVE OAK COUNTY
 - L.O.C.C.F. LIVE OAK COUNTY CLERK'S FILE

GENERAL NOTES

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (TXDOT VRS EPOCH 2010.00) UNIT OF MEASURE = U.S. SURVEY FEET. ALL DISTANCES AND COORDINATES SHOWN ARE GRID VALUES. GRID = SURFACE. TXDOT SCALE FACTOR = 1.00000.
- ALL SURVEY CONTROL POINTS WERE ESTABLISHED BY GPS-RTK METHODS. TXDOT CONTROL POINTS 4, 5, 6, 7 AND "OAKVILLE" WERE SURVEYED AND VERIFIED DURING THE TIME OF THIS SURVEY.
- FIELD SURVEYS WERE PERFORMED BETWEEN JULY, 2015 THROUGH AUGUST, 2015.
- THE STREETS AND RIGHT OF WAY LINES SHOWN ARE BASED ON THE MAP OF OAKVILLE TOWNSHIP, RECORDED IN VOLUME "K", PAGES 638 AND 639 OF THE LIVE OAK COUNTY DEED RECORDS. THE STREET RIGHT OF WAY WIDTHS WERE DETERMINED BY THE LOCATION OF FOUND MONUMENTATION AND AS SHOWN ON THE EXISTING RIGHT OF WAY MAP OF FM 1358 (CSJ NO. 1206-1-2, DATED APRIL 17, 1992). THE MAP PLAT OF OAKVILLE TOWNSHIP, DATED 1992, IS THE BASIS FOR THE MONUMENT DEDICATION TO THE PUBLIC. THE STREETS SHOWN AS CLOSED APPEAR TO HAVE BEEN CLOSED FOR A LONG PERIOD OF TIME.
- A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
- ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY THE STATE.



TRACT-2 SUMMARY

PART 1 0.1326 ACRES (5,775 S.F.) SANTIAGO MCGLOIN SURVEY, A-26
 PART 2 0.0182 ACRES (792 S.F.) SANTIAGO MCGLOIN SURVEY, A-26
 0.0374 ACRES (1,632 S.F.) LUIS LEAL SURVEY, A-23

PARENT TRACT INSET FOR TRACT-2

FM 1358 EXISTING R.O.W. AS SHOWN ON TXDOT R.O.W. MAP CSJ NO. 1206-01-02 DATED APRIL 17, 1992
 VOL. 145, PG. 85, L.O.C.D.R. VOL. 145, PG. 473, L.O.C.D.R.



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Leo M. Delatorre 7/18/2016
 LEO M. DELATORRE DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 5113

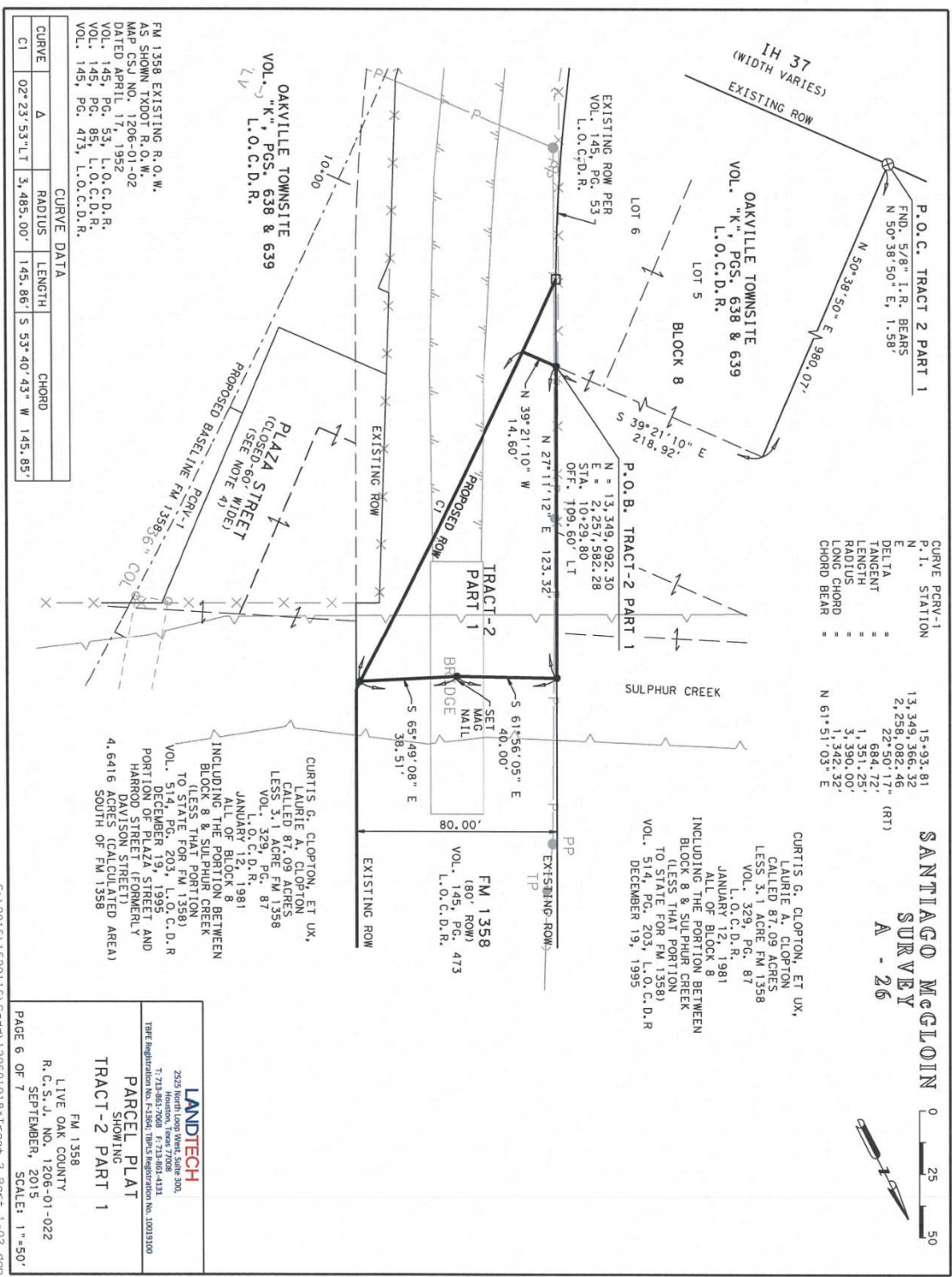
AREA TABLE (ACRES)			
EXISTING AC.	TAKING AC./S.F.	REMAINDER AC.	
0.1882	PART 1 0.1326 PART 2 0.0556 2,7421	0	

2525 North Loop West, Suite 300,
 T-713-861-2008 F-713-861-4131
 TIFB Registration No. F-1384, TIFB Registration No. 10033100

LANDTECH

PARCEL PLAT
 SHOWING
 TRACT-2

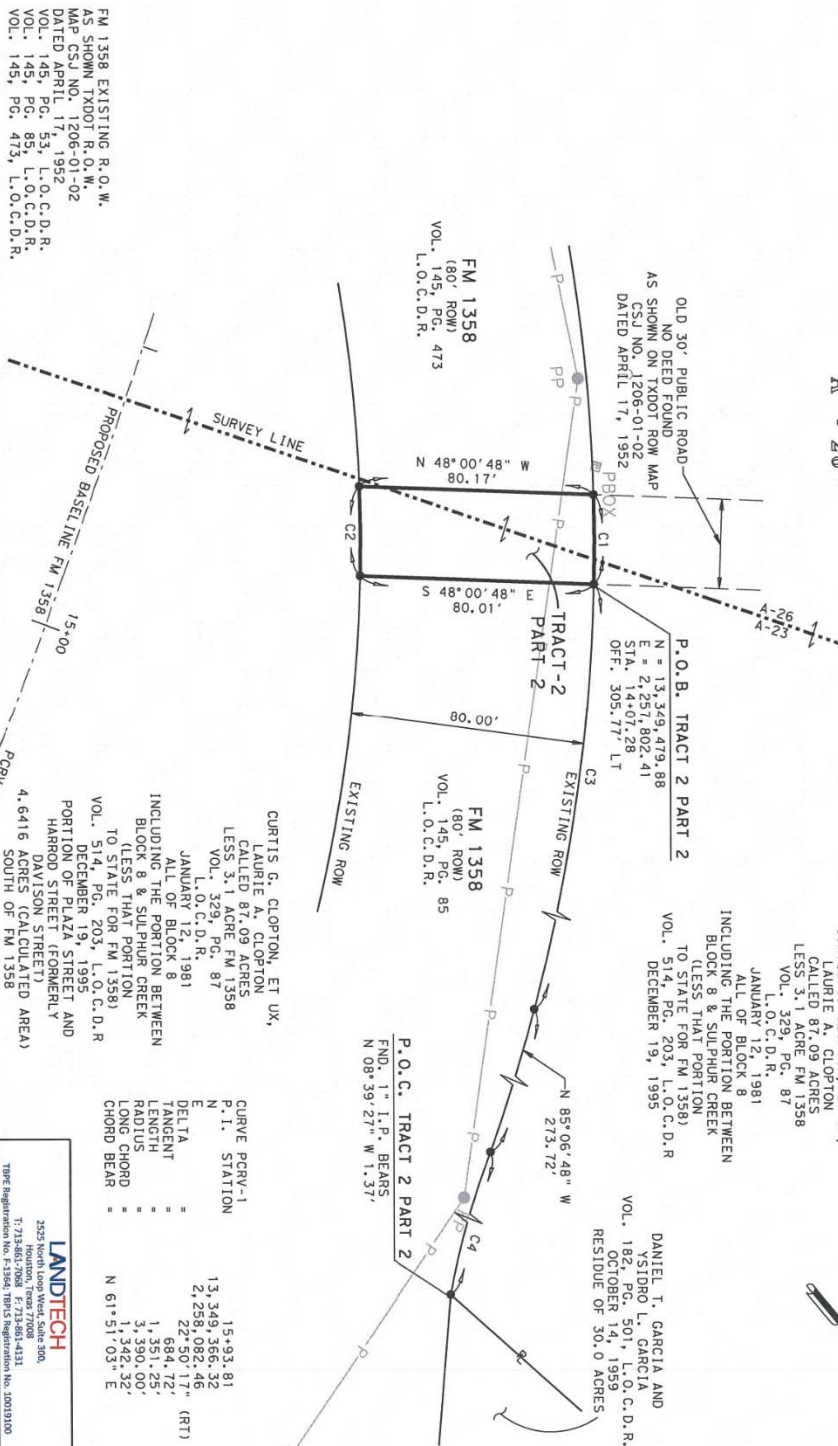
FM 1358
 LIVE OAK COUNTY
 R.C.S.-J, NO. 1206-01-022
 SEPTEMBER, 2015
 SCALE: N.T.S.



SANTIAGO MCGLOIN SURVEY A - 26

LUIS LEAL SURVEY A - 23

0 25 50



CURVE DATA			
CURVE	Δ	RADIUS	CHORD
C1	02°49'55" RT	612.96'	30.30' N 39°58'14" E 30.29'
C2	03°15'28" LT	532.96'	30.30' S 39°40'03" W 30.30'
C3	53°30'00" LT	612.96'	572.35' S 68°08'11" W 551.78'
C4	21°16'34" RT	1,392.39'	517.05' S 84°14'55" W 514.08'